

**PUBLIC CHAPTER NO. 603****SENATE BILL NO. 2334****By Kyle, Henry, McNally, Burchett, Marrero****Substituted for: House Bill No. 2353****By Odom, Fitzhugh, Sontany, Sargent**

AN ACT to make appropriations for the purpose of defraying the expenses of the state government for the fiscal years beginning July 1, 2006, and July 1, 2007, in the administration, operation and maintenance of the legislative, executive and judicial branches of the various departments, institutions, offices and agencies of the state; for certain state aid and obligations; for capital outlay, for the service of the public debt, for emergency and contingency; to repeal certain appropriations and any acts inconsistent herewith; to provide provisional continuing appropriations; and to establish certain provisions, limitations and restrictions under which appropriations may be obligated and expended. This act makes appropriations for the purposes described above for the fiscal years beginning July 1, 2006, and July 1, 2007.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. That appropriations hereinafter set out are hereby made for the purpose of defraying the expenses of state government for the fiscal year beginning July 1, 2007, in the administration, operation and maintenance of the legislative, executive and judicial branches of the various departments, institutions, offices and agencies of the state, and for certain state aid and obligations and for capital outlay; for the service of the public debt, and for emergency and contingency, all according to the following schedule:

I. LEGISLATIVE		<u>2007-2008</u>
1. Legislature		
1.1	General Assembly Support Services .....	\$ 7,241,700.00
1.2	General Assembly Committees.....	615,200.00
1.3	House of Representatives.....	15,892,500.00
1.4	State Senate.....	8,688,100.00
1.5	Legislative Administration Services.....	4,643,900.00
1.6	Tennessee Code Commission .....	69,600.00
	Total Legislature .....	\$ 37,151,000.00
2.	Fiscal Review Committee .....	1,124,200.00
	Total Title I .....	\$ 38,275,200.00

## II. JUDICIAL

1.	Appellate and Trial Courts .....	\$	56,656,500.00
2.	Supreme Court Buildings .....		2,364,900.00
3.	Child Support Referees .....		440,900.00
4.	Guardian ad Litem.....		2,047,500.00
5.	Indigent Defendants' Counsel.....		18,344,300.00
6.	Civil Legal Representation.....		3,327,900.00
7.	Verbatim Transcripts .....		4,130,700.00
8.	Tennessee State Law Libraries .....		566,000.00
9.	Judicial Programs and Commissions.....		482,400.00
10.	State Court Clerks' Conference .....		202,300.00
11.	Administrative Office of the Courts .....		11,705,000.00
12.	Appellate Court Clerks .....		589,700.00
13.	Board of Law Examiners .....		692,400.00
14.	Board of Professional Responsibility .....		2,311,900.00
15.	Tennessee Lawyers Assistance Program.....		341,500.00
16.	Continuing Legal Education.....		615,300.00
17.	Client Protection Fund.....		208,500.00
18.	Judicial Conference.....		31,300.00
19.	Council of Juvenile and Family Court Judges.....		93,600.00
	Total Title II .....	\$	105,152,600.00

## III. EXECUTIVE

## 1. Constitutional and Quasi-Judicial Offices

1.	Attorney General and Reporter		
1.1	Attorney General and Reporter .....	\$	24,336,800.00
1.2	Publication of Tennessee Reports .....		155,500.00
1.3	Special Litigation .....		288,900.00
	Total Attorney General and Reporter .....	\$	24,781,200.00
2.	District Attorneys General Conference		
2.1	District Attorneys General .....	\$	60,838,400.00
2.2	District Attorneys General Conference.....		438,000.00
2.3	Executive Director.....		1,554,300.00
	Total District Attorneys General Conference.....	\$	62,830,700.00
3.	Secretary of State		
3.1	Secretary of State .....	\$	9,629,400.00
3.2	State Election Commission .....		1,689,500.00
3.3	Public Documents.....		396,000.00
3.4	State Library and Archives.....		7,403,000.00
3.5	Regional Library System.....		7,471,800.00
3.6	Registry of Election Finance .....		569,500.00
3.7	Economic Council on Women .....		170,100.00
3.8	Charitable Solicitations and Charitable Gaming .....		333,400.00
3.9	Ethics Commission .....		634,100.00
	Total Secretary of State .....	\$	28,296,800.00

4.	District Public Defenders Conference		
4.1	District Public Defenders.....	\$	29,779,300.00
4.2	Executive Director.....		1,513,700.00
4.3	Shelby County Public Defender .....		3,034,100.00
4.4	Davidson County Public Defender .....		1,551,600.00
	Total District Public Defenders Conference .....	\$	35,878,700.00
5.	Comptroller of the Treasury		
5.1	Division of Administration.....	\$	1,016,500.00
5.2	Office of Management Services .....		10,606,400.00
5.3	Division of State Audit.....		10,754,200.00
5.4	Division of County Audit.....		7,175,000.00
5.5	Division of Municipal Audit.....		1,658,100.00
5.6	Division of Bond Finance .....		408,800.00
5.7	Office of Local Government .....		331,600.00
5.8	Division of Property Assessments.....		9,564,400.00
5.9	Tax Relief .....		17,750,000.00
5.10	State Board of Equalization .....		2,908,300.00
5.11	Division of Local Finance.....		394,400.00
5.12	Offices of Research and Education Accountability .....		1,614,300.00
5.13	Office of State Assessed Properties .....		1,058,000.00
5.14	Telecommunications Ad Valorem Tax Equity Payments .....		17,810,000.00
	Total Comptroller of the Treasury .....	\$	83,050,000.00
6.	Office of the Post-Conviction Defender		
6.1	Office of the Post-Conviction Defender .....	\$	1,774,800.00
	Total Office of the Post-Conviction Defender .....	\$	1,774,800.00
7.	Treasury Department		
7.1	Treasury Department.....	\$	130,800.00
7.2	Certified Public Administrators .....		497,200.00
	Total Treasury Department .....	\$	628,000.00
8.	Claims and Compensation		
8.1	Criminal Injuries Compensation .....	\$	12,670,000.00
	Total Claims and Compensation .....	\$	12,670,000.00
	Total Title III-1 .....	\$	249,910,200.00

The appropriation made under Title III-1, Item 8, may be increased or decreased as realized receipts of the Criminal Injuries Compensation Fund justify, subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51. To the extent that receipts of the fund are insufficient to meet the fund's expenditure requirements, there is hereby appropriated a sum sufficient to support such expenditures.

## 2. Executive Offices

1.	Executive Department		
1.1	Governor's Office.....	\$	4,552,900.00
	Total Executive Department.....	\$	4,552,900.00

2.	Commissions		
2.1	Commission on Children and Youth.....	\$	2,032,000.00
2.2	Commission on Aging and Disability.....		9,573,400.00
2.3	Human Rights Commission .....		1,620,500.00
2.4	Health Services and Development Agency .....		1,140,900.00
2.5	Corrections Institute.....		1,042,000.00
2.6	Tennessee Regulatory Authority.....		8,003,700.00
2.7	Advisory Commission on Intergovernmental Relations .....		266,000.00
2.8	Arts Commission .....		5,704,700.00
2.9	State Museum .....		3,450,700.00
2.10	Tennessee Housing Development Agency .....		350,000.00
	Total Commissions .....	\$	33,183,900.00
3.	Department of Finance and Administration		
3.1	Division of Administration.....	\$	1,441,700.00
3.2	Division of Budget.....		3,436,600.00
3.3	Office of Information Resources.....		2,275,000.00
3.4	Criminal Justice Programs.....		7,002,300.00
3.5	Resource Development and Support .....		1,666,400.00
3.6	Real Property Administration .....		3,652,200.00
3.7	Volunteer Tennessee.....		233,600.00
3.8	State Health Planning Division.....		17,870,400.00
3.9	Enterprise Resource Planning .....		13,000,000.00
3.10	State Planning Office .....		3,000,000.00
	Total Department of Finance and Administration .....	\$	53,578,200.00
4.	Department of Personnel		
4.1	Executive Administration.....	\$	2,121,900.00
4.2	Human Resource Development .....		1,099,600.00
4.3	Technical Services.....		2,241,800.00
	Total Department of Personnel .....	\$	5,463,300.00
5.	Department of General Services		
5.1	Administration.....	\$	511,800.00
5.2	Property Management .....		1,497,800.00
5.3	Printing .....		727,200.00
5.4	Purchasing .....		22,000.00
5.5	Food Services Program .....		555,000.00
	Total Department of General Services .....	\$	3,313,800.00
6.	Department of Veterans Affairs .....	\$	3,910,700.00
	Total Title III-2 .....	\$	104,002,800.00
3.	Department of Agriculture		
1.	Administration and Grants.....	\$	9,551,200.00
2.	Regulatory Services .....		12,197,500.00
3.	Market Development .....		13,421,600.00

4.	Forestry Operations.....	27,121,000.00
5.	Forestry Maintenance.....	158,500.00
6.	Certified Cotton Growers' Organization Fund .....	6,540,000.00
7.	Agricultural Regulatory Fund .....	2,354,400.00
8.	Agricultural Resources Conservation Fund .....	5,625,000.00

Total Title III-3 ..... \$ 76,969,200.00

4. Department of Tourist Development

1.	Administration and Marketing .....	\$ 12,079,700.00
2.	Welcome Centers.....	1,500,000.00

Total Title III-4 ..... \$ 13,579,700.00

5. Department of Environment and Conservation

1.	Administrative Services .....	\$ 5,752,100.00
2.	Recreation Educational Services.....	751,100.00
3.	Historical Commission .....	1,789,200.00
4.	Archaeology .....	733,400.00
5.	Geology.....	1,138,100.00
6.	Tennessee State Parks .....	39,687,200.00
7.	Natural Areas .....	884,000.00
8.	State Parks Maintenance .....	4,203,200.00
9.	Maintenance of Historic Sites .....	285,000.00
10.	West Tennessee River Basin Authority .....	1,051,700.00
11.	Environment Administration.....	1,577,100.00
12.	Used Oil Collection Program .....	1,306,700.00
13.	Tennessee Dry Cleaners Environmental Response Fund .....	2,499,100.00
14.	Air Pollution Control.....	1,266,800.00
15.	Radiological Health .....	729,300.00
16.	Water Pollution Control .....	10,190,400.00
17.	Solid Waste Management .....	1,869,400.00
18.	Abandoned Lands .....	500,000.00
19.	Hazardous Waste Remedial Action Fund .....	1,076,100.00
20.	Water Supply.....	939,800.00
21.	Groundwater Protection .....	4,423,700.00
22.	Underground Storage Tanks .....	22,162,700.00
23.	Solid Waste Assistance .....	9,420,500.00
24.	Environmental Protection Fund .....	45,589,900.00
25.	Clean Water and Drinking Water State Revolving Fund .....	5,205,000.00
26.	West Tennessee River Basin Authority Maintenance .....	650,000.00
27.	Local Parks Acquisition Fund .....	6,561,300.00
28.	State Lands Acquisition Fund .....	5,625,000.00
29.	Fleming Training Center .....	531,000.00
30.	Office of Environmental Assistance .....	865,500.00
31.	Tennessee Heritage Conservation Trust Fund .....	10,100,000.00
32.	Conservation Compensation Fund .....	20,000.00

Total Title III-5 ..... \$ 189,384,300.00

## 6. Wildlife Resources Agency

1.	Wildlife Resources Agency .....	\$	33,403,600.00
2.	Boating Safety .....		5,469,400.00
3.	Wetlands Compensation Fund .....		400,000.00
4.	Wetlands Acquisition Fund .....		11,788,700.00
Total Title III-6 .....			\$ 51,061,700.00

The appropriation made under Title III-6 may be increased or decreased as realized receipts of the Wildlife Resources Fund justify, subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51.

## 7. Department of Correction

1.	Administration .....	\$	14,995,200.00
2.	State Prosecutions .....		141,154,900.00
3.	Correction Academy .....		5,167,100.00
4.	Wayne County Boot Camp .....		10,167,400.00
5.	Brushy Mountain Correctional Complex .....		49,311,200.00
6.	Tennessee Prison for Women .....		19,812,200.00
7.	Turney Center Industrial Prison and Farm .....		25,280,100.00
8.	Mark Luttrell Correctional Facility .....		12,896,600.00
9.	Charles B. Bass Correctional Complex .....		26,948,000.00
10.	Southeastern Tennessee State Regional Correctional Facility .....		20,893,800.00
11.	Major Maintenance .....		3,939,400.00
12.	West Tennessee State Penitentiary .....		50,977,000.00
13.	Riverbend Maximum Security Institution .....		23,360,100.00
14.	Northeast Correctional Complex .....		35,832,600.00
15.	South Central Correctional Center .....		26,932,100.00
16.	Northwest Correctional Complex .....		44,660,300.00
17.	Lois M. DeBerry Special Needs Facility .....		33,521,100.00
18.	Hardeman County Incarceration Agreement .....		34,493,100.00
19.	Sentencing Act of 1985 .....		25,453,200.00
20.	Sex Offender Treatment Program .....		128,300.00
21.	Hardeman County Agreement – Whiteville .....		27,389,700.00
Total Title III-7 .....			\$ 633,313,400.00

## 8. Department of Economic and Community Development

1.	Administrative Services .....	\$	5,498,800.00
2.	Business Development .....		9,278,800.00
3.	Business Services .....		1,106,600.00
4.	FastTrack Infrastructure Development Program .....		54,595,000.00
5.	Community Development .....		5,590,700.00
6.	Energy Division .....		34,800.00
7.	FastTrack Job Training Assistance Program .....		315,400.00

8.	Regional Grants Management.....		952,900.00
9.	Economic Development District Grants .....		1,080,000.00
	Total Title III-8 .....	\$	78,453,000.00
9.	Department of Education		
1.	Administrative Services		
1.1	Administration.....	\$	8,668,800.00
1.2	State Board of Education.....		840,100.00
1.3	Governor's Books from Birth Fund.....		3,442,300.00
	Total Administrative Services.....	\$	12,951,200.00
2.	Kindergarten, Elementary and Secondary		
2.1	State Programs		
	a. Curriculum and Instruction .....	\$	4,300,000.00
	b. Career Ladder .....		74,919,200.00
	c. BEP and Other LEA Support.....		3,513,281,300.00
	d. Driver Education .....		1,700,000.00
	e. Training and Professional Development .....		7,023,100.00
	f. Grants-In-Aid .....		7,643,900.00
	g. Technology, Infrastructure, and Support Systems.....		2,704,000.00
	h. Accountability and Assessment .....		23,169,100.00
	i. Early Childhood Education.....		59,540,200.00
	Subtotal State Programs.....	\$	3,694,280,800.00
2.2	Federally Funded and Supported Programs		
	a. Improving Schools Program.....	\$	16,260,200.00
	b. School Nutrition Programs .....		4,807,000.00
	c. Special Education Services.....		662,400.00
	d. Tennessee Early Intervention Services.....		21,672,000.00
	Subtotal Federally Funded and Supported Programs .....	\$	43,401,600.00
2.3	Lottery-Funded Programs		
	a. After-School Programs Special Account .....	\$	12,300,000.00
	Subtotal Lottery-Funded Programs .....	\$	12,300,000.00
	Total Kindergarten, Elementary and Secondary.....	\$	3,749,982,400.00
3.	Career and Technical Education Programs		
3.1	Career and Technical Education Programs.....	\$	3,979,900.00
	Total Career and Technical Education .....	\$	3,979,900.00
4.	Special Schools		
4.1	Alvin C. York Institute .....	\$	5,225,000.00
4.2	Tennessee School for the Blind .....		10,233,400.00
4.3	Tennessee School for the Deaf.....		13,968,300.00
4.4	West Tennessee School for the Deaf.....		2,463,100.00
4.5	Governor's Institute for Science and Math .....		1,770,000.00
4.6	Major Maintenance .....		239,100.00
	Total Special Schools .....	\$	33,898,900.00

Total Title III-9 ..... \$3,800,812,400.00

10. Higher Education

1.	Administration and Support Services		
1.1	Tennessee Higher Education Commission .....	\$	2,313,200.00
1.2	Contract Education .....		2,591,500.00
1.3	Tennessee Student Assistance Awards.....		47,108,500.00
1.4	Tennessee Student Assistance Corporation .....		1,510,000.00
1.5	Loan/Scholarship Programs.....		1,191,000.00
1.6	Foreign Language Institute .....		360,700.00
1.7	THEC Grants .....		2,752,300.00
	Total Administration and Support Services. ....	\$	57,827,200.00
2.	Excellence Initiatives		
2.1	Academic Scholars Program .....	\$	401,800.00
2.2	Centers of Excellence .....		19,586,000.00
2.3	Campus Centers of Emphasis .....		1,430,600.00
	Total Excellence Initiatives.....	\$	21,418,400.00
3.	University of Tennessee System		
3.1	Administrative and Other Services		
	a. U.T. University-Wide Administration.....	\$	4,360,700.00
	b. U.T. Institute for Public Service .....		4,923,900.00
	c. U.T. Municipal Technical Advisory Service.....		1,990,800.00
	d. U.T. County Technical Assistance Service.....		1,533,200.00
	e. U.T. Access and Diversity Initiative .....		3,410,000.00
	f. U.T. Space Institute .....		8,215,400.00
	g. U.T. Research Initiatives .....		14,750,000.00
	Subtotal Administrative and Other Services .....	\$	39,184,000.00
3.2	Agricultural Services		
	a. U.T. Agricultural Experiment Stations .....	\$	24,650,500.00
	b. U.T. Agricultural Extension Service.....		29,476,000.00
	c. U.T. Veterinary Medicine.....		16,264,500.00
	Subtotal Agricultural Services .....	\$	70,391,000.00
3.3	Medical Education		
	a. U.T. Health Science Center .....	\$	70,308,500.00
	b. U.T. Family Medicine .....		9,824,600.00
	c. U.T. College of Medicine .....		48,184,800.00
	Subtotal Medical Education .....	\$	128,317,900.00
3.4	University Campuses		
	a. U.T. Chattanooga .....	\$	44,753,600.00
	b. U.T. Knoxville .....		190,275,900.00
	c. U.T. Martin .....		32,347,400.00
	Subtotal University Campuses .....	\$	267,376,900.00



	Total University of Tennessee System.....	\$	505,269,800.00
4.	Tennessee Board of Regents System		
4.1	Administration and Other Services		
	a. Tennessee Board of Regents .....	\$	4,680,100.00
	b. Regents Access and Diversity Initiative .....		6,470,000.00
	Subtotal Administration and Other Services.....	\$	11,150,100.00
4.2	Medical Education		
	a. East Tennessee State University - College of Medicine \$		27,170,300.00
	b. East Tennessee State University - Family Practice .....		5,454,400.00
	Subtotal Medical Education .....	\$	32,624,700.00
4.3	Regional Universities		
	a. Austin Peay State University .....	\$	35,476,100.00
	b. East Tennessee State University .....		61,159,100.00
	c. University of Memphis.....		120,548,200.00
	d. Middle Tennessee State University.....		98,574,500.00
	e. Tennessee State University .....		42,088,000.00
	f. Tennessee Technological University.....		47,759,500.00
	Subtotal Regional Universities .....	\$	405,605,400.00
4.4	Community Colleges		
	a. Southwest Tennessee Community College.....	\$	38,866,400.00
	b. Nashville State Technical Community College .....		16,074,800.00
	c. Pellissippi State Technical Community College.....		21,519,800.00
	d. Northeast State Technical Community College .....		13,061,000.00
	e. Chattanooga State Technical Community College .....		24,295,400.00
	f. Cleveland State Community College.....		10,595,400.00
	g. Columbia State Community College .....		13,796,500.00
	h. Dyersburg State Community College .....		7,498,500.00
	i. Jackson State Community College.....		12,833,000.00
	j. Motlow State Community College .....		10,777,400.00
	k. Roane State Community College .....		18,704,200.00
	l. Volunteer State Community College .....		18,850,100.00
	m. Walters State Community College .....		19,033,800.00
	Subtotal Community Colleges.....	\$	225,906,300.00
4.5	Technology Centers		
	a. Tennessee Technology Centers .....	\$	60,437,900.00
	Subtotal Technology Centers.....	\$	60,437,900.00
4.6	Agricultural Centers		
	a. TSU McMinnville Center .....	\$	521,700.00
	b. TSU Agricultural Research and Extension .....		2,000,000.00
	Subtotal Agricultural Center .....	\$	2,521,700.00
	Total Tennessee Board of Regents System.....	\$	738,246,100.00
5.	Lottery-Funded Programs		

5.1	Lottery for Education Account.....	\$	259,600,000.00
	Total Lottery-Funded Programs .....	\$	259,600,000.00

Total Title III-10 ..... \$ 1,582,361,500.00

#### 11. Department of Commerce and Insurance

1.	Administration .....	\$	3,600.00
2.	Consumer Affairs .....		827,400.00
3.	Fire Fighting Personnel Standards and Education.....		2,832,300.00
4.	911 Emergency Communications Fund .....		42,811,200.00
5.	Regulatory Boards .....		18,471,300.00
5.1	Real Estate Education and Recovery Fund .....		281,400.00
5.2	Auctioneer Education and Recovery Fund .....		81,600.00
6.	Fire Service and Codes Enforcement Academy .....		3,573,500.00
7.	Fire Prevention.....		68,500.00
8.	Tennessee Law Enforcement Training Academy .....		2,858,900.00
9.	POST Commission.....		7,808,600.00
10.	Cemetery Consumer Protection Fund .....		360,000.00

Total Title III-11 ..... \$ 79,978,300.00

12.	Department of Financial Institutions.....	\$	7,797,300.00
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Total Title III-12 ..... \$ 7,797,300.00

The appropriation made under Title III-12 may be increased or decreased as realized receipts justify, subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51.

#### 13. Department of Labor and Workforce Development

1.	Administration .....	\$	3,165,000.00
2.	Tennessee Occupational Safety and Health Administration (TOSHA).....		4,287,500.00
3.	Workers' Compensation .....		13,960,200.00
4.	Mines .....		380,300.00
5.	Labor Standards.....		1,173,300.00
6.	Second Injury Fund .....		15,096,200.00
7.	Adult Basic Education .....		3,618,800.00

Total Title III-13 ..... \$ 41,681,300.00

#### 14. Department of Mental Health and Developmental Disabilities

1.	Administration		
1.1	Administrative Services Division .....	\$	11,613,300.00
	Total Administration .....	\$	11,613,300.00
2.	Mental Health Services		
2.1	Lakeshore Mental Health Institute.....	\$	16,049,600.00
2.2	Middle Tennessee Mental Health Institute .....		20,923,400.00
2.3	Western Mental Health Institute .....		17,719,600.00

2.4	Moccasin Bend Mental Health Institute .....	12,352,500.00
2.5	Memphis Mental Health Institute .....	15,092,300.00
2.6	Community Mental Health Services .....	61,739,800.00
2.7	Major Maintenance .....	450,000.00
	Total Mental Health Services .....	\$ 144,327,200.00
	Total Title III-14 .....	\$ 155,940,500.00
15.	Department of Military	
1.	Administration .....	\$ 2,802,700.00
2.	Army National Guard .....	1,197,000.00
3.	Air National Guard .....	2,194,500.00
4.	Tennessee Emergency Management Agency .....	3,660,600.00
5.	Armories Maintenance .....	736,600.00
6.	Armories Utilities .....	2,416,200.00
	Total Title III-15 .....	\$ 13,007,600.00
16.	Department of Health	
1.	Administration	
1.1	Executive Administration .....	\$ 7,579,700.00
1.2	Administrative Services .....	2,857,800.00
1.3	Office of Information Technology .....	3,807,300.00
1.4	Policy Planning and Assessment .....	5,326,900.00
	Total Administration .....	\$ 19,571,700.00
2.	Manpower Resources and Facilities	
2.1	Bureau of Health Licensure and Regulation .....	\$ 6,410,100.00
2.2	Emergency Medical Services .....	667,800.00
2.3	Laboratory Services .....	8,590,100.00
2.4	Health Related Boards .....	11,863,800.00
	Total Manpower Resources and Facilities .....	\$ 27,531,800.00
3.	Community Health Services	
3.1	Health Services Administration .....	\$ 14,804,500.00
3.2	General Environmental Health .....	11,427,700.00
3.3	Maternal and Child Health .....	2,515,300.00
3.4	Communicable and Environmental Disease Services .....	18,354,100.00
3.5	Community and Medical Services .....	27,977,000.00
3.6	Diabetes Prevention and Health Improvement .....	7,000,000.00
	Total Community Health Services .....	\$ 82,078,600.00
4.	Local Health	
4.1	Local Health Services .....	\$ 56,568,300.00
	Total Local Health .....	\$ 56,568,300.00
5.	Alcohol and Drug Abuse Services	
5.1	Alcohol and Drug Abuse Services .....	\$ 15,016,900.00
	Total Alcohol and Drug Abuse Services .....	\$ 15,016,900.00

Total Title III-16 .....		\$ 200,767,300.00
17.	Department of Human Services	
1.	Administration	
1.1	Administration.....	\$ 19,671,400.00
1.2	Field Operations .....	7,228,200.00
1.3	County Rentals .....	4,949,900.00
1.4	Appeals and Hearings .....	2,561,300.00
	Total Administration .....	\$ 34,410,800.00
2.	Family Assistance Services	
2.1	Child Support.....	\$ 18,921,700.00
2.2	Family Assistance Services .....	72,516,000.00
2.3	Temporary Cash Assistance .....	33,275,800.00
2.4	Child Care Benefits .....	11,493,500.00
	Total Family Assistance Services .....	\$ 136,207,000.00
3.	Social Services	
3.1	Community Services .....	\$ 1,225,000.00
	Total Social Services .....	\$ 1,225,000.00
4.	Rehabilitative Services	
4.1	Vocational Rehabilitation .....	\$ 10,565,800.00
	Total Rehabilitative Services.....	\$ 10,565,800.00
Total Title III-17 .....		\$ 182,408,600.00
18.	Department of Revenue	
1.	Administration Division .....	\$ 7,198,000.00
2.	Tax Enforcement Division.....	6,549,800.00
3.	Information Technology Resources Division.....	16,611,300.00
4.	Taxpayer and Vehicle Services Division.....	25,596,300.00
5.	Processing Division .....	7,931,700.00
6.	Audit Division .....	19,726,200.00
7.	CID Anti-Theft Unit .....	1,054,200.00
Total Title III-18 .....		\$ 84,667,500.00
19.	Tennessee Bureau of Investigation.....	\$ 35,737,400.00
Total Title III-19 .....		\$ 35,737,400.00
20.	Department of Safety	
1.	Administration .....	\$ 6,544,000.00
2.	Driver License Issuance .....	34,950,300.00
3.	Highway Patrol .....	76,881,000.00

4.	Motorcycle Rider Education.....	199,000.00
5.	Motor Vehicle Operations .....	9,529,500.00
6.	Driver Education.....	264,000.00
7.	Office of Homeland Security.....	1,716,800.00
8.	Major Maintenance.....	199,600.00
9.	Technical Services .....	2,596,600.00

Total Title III-20 ..... \$ 132,880,800.00

#### 21. Cover Tennessee Health Care Programs

1.	CoverTN .....	\$ 34,000,000.00
2.	AccessTN.....	23,049,200.00
3.	CoverKids .....	21,200,000.00
4.	CoverRx .....	16,959,400.00

Total Title III-21 ..... \$ 95,208,600.00

#### 22. Miscellaneous Appropriations

1.	State Employees' Unemployment Compensation, Sick Leave, Death Benefit Payments and Terminal Leave Payments.....	\$ 200,000.00
2.	Consolidated Retirement System	
2.1	Former Governors and Widows of Former Governors – Pensions .....	310,000.00
3.	Insurance – Retirees	
3.1	Retirees Health Insurance .....	10,500,000.00
3.2	Retired Teachers Insurance.....	16,500,000.00
4.	Attorney's Fees – Civil Rights Cases.....	500,000.00
5.	Special Election Reimbursement to Counties.....	300,000.00
6.	Disaster Relief Grants .....	2,000,000.00
7.	Homeland Security Emergency Fund .....	1,100,000.00
8.	Criminal Justice Programs.....	977,500.00
9.	Tennessee Association of Rescue Squads .....	71,300.00
10.	Volunteer Rescue Squad – \$25,000 Death Benefit .....	25,000.00
11.	YMCA Youth Legislature .....	25,000.00
12.	YMCA Community Action Program .....	350,000.00
13.	Forensic Center at Quillen College of Medicine.....	100,000.00
14.	State Employee Salary Increase – 7/1/07.....	42,300,000.00
15.	Higher Education Salary Increase – 7/1/07 .....	22,000,000.00
16.	State Employee Salary Compression .....	23,800,000.00
17.	Higher Education – Group Health Insurance Premium – 1/1/08.....	1,100,300.00
18.	State Employee Classification Compensation .....	75,000.00
19.	Management Level Classification Compensation .....	3,100,000.00
20.	Higher Education – Professional Privilege Tax Payments .....	450,000.00
21.	Deferred Compensation – 401K match – State Employees.....	6,697,000.00

22.	Group Health Insurance Premium – 1/1/07 .....	13,400,000.00
23.	Group Health Insurance Premium – 1/1/08 – State Agencies .....	10,732,500.00
24.	Intergovernmental Conferences Dues .....	479,000.00
25.	UT CBER – Research Assistance .....	125,000.00
26.	UT CBER – State Census Data Center .....	40,000.00
27.	MVM – DUI Vehicle Confiscation Program .....	720,000.00
28.	MVM – Purchase of New Vehicles .....	3,500,000.00
29.	Risk Management Premiums .....	1,682,800.00
30.	Statewide Rate Adjustments	
30.1	Rent Adjustments .....	600,000.00
30.2	Postage Rate Increase .....	800,000.00
30.3	Mileage Rate Increase .....	1,700,000.00
30.4	Meal and Lodging Rate Increase .....	1,500,000.00
31.	STAX Museum – Memphis .....	123,000.00
32.	American Battles Monument Commission .....	5,500.00
33.	Facilities Revolving Fund	
33.1	Building Security .....	1,250,000.00
33.2	Utilities .....	4,300,000.00
33.3	Knoxville Office Renovation .....	1,500,000.00
33.4	Downtown Parking Alternative .....	1,200,000.00
34.	Presidential Primary .....	4,000,000.00
	Total Title III-22 .....	\$ 180,138,900.00

#### 23. Department of Children's Services

1.	Administration .....	\$ 29,751,500.00
2.	Family Support Services .....	25,944,800.00
3.	Custody Services .....	88,424,300.00
4.	Adoption Services .....	32,088,300.00
5.	Child and Family Management .....	85,743,200.00
6.	John S. Wilder Youth Development Center .....	11,536,500.00
7.	Taft Youth Development Center .....	13,514,100.00
8.	Woodland Hills Youth Development Center .....	12,141,100.00
9.	Mountain View Youth Development Center .....	12,340,400.00
10.	New Visions Youth Development Center .....	3,835,200.00
11.	Community Treatment Facilities .....	7,335,500.00
12.	Major Maintenance .....	420,100.00
13.	Needs Assessment .....	8,000,000.00
	Total Title III-23 .....	\$ 331,075,000.00

#### 24. Board of Probation and Parole

1.	Probation and Parole Services .....	\$ 60,667,500.00
2.	Community Corrections .....	11,402,600.00

Total Title III-24 ..... \$ 72,070,100.00

25. Department of Finance and Administration – Mental Retardation

1.	Mental Retardation Administration.....	\$ 3,600,000.00
2.	Developmental Disabilities Council.....	208,700.00
3.	Community Mental Retardation Services.....	52,639,300.00
4.	West Tennessee Regional Office .....	2,459,400.00
5.	Middle Tennessee Regional Office.....	1,804,400.00
6.	East Tennessee Regional Office .....	2,126,200.00
7.	Arlington Developmental Center.....	1,772,100.00
8.	Clover Bottom Developmental Center .....	8,664,800.00
9.	Greene Valley Developmental Center .....	1,401,100.00
10.	Major Maintenance.....	300,000.00

Total Title III-25 ..... \$ 74,976,000.00

26. Department of Finance and Administration – TennCare Program

1.	TennCare Administration.....	\$ 116,658,000.00
2.	TennCare Services .....	1,736,238,800.00
3.	Waiver and Crossover Services .....	405,533,400.00
4.	Long Term Care Services .....	424,058,400.00
5.	Governor's Office of Children's Care Coordination .....	5,843,800.00

Total Title III-26 ..... \$2,688,332,400.00

27. Emergency and Contingency Fund..... \$ 819,300.00

Total Title III-27 ..... \$ 819,300.00

The Emergency and Contingency Fund may be used for any purpose authorized by law to be allowed on Executive Order of the Governor; provided, however, the Emergency and Contingency Fund shall not be used to fund any law requiring the expenditure of state funds unless an appropriation is made elsewhere for the estimated first year's funding.

28. State Building Commission

1.	Major Maintenance and Equipment.....	\$ 250,000.00
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Total Title III-28 ..... \$ 250,000.00

29. Facilities Revolving Fund

1.	General Services Operating Maintenance.....	\$ 367,200.00
2.	Facilities Management .....	7,900,000.00

Total Title III-29 ..... \$ 8,267,200.00

## 30. Department of Transportation

There is hereby appropriated for the use of the Department of Transportation such receipts of highway revenues as are now provided by law, or may hereafter be so provided, to accrue to that department during the fiscal year, beginning July 1, 2007, to be expended by the Commissioner of Transportation, all according to the following schedule:

		<u>2007</u>
		<u>-</u>
		<u>2008</u>
1.	Administration	
1.1	Headquarters.....	\$ 15,854,000.00
1.2	Bureau of Administration.....	41,316,000.00
1.3	Bureau of Engineering.....	22,018,000.00
1.4	Field Engineering.....	45,956,000.00
1.5	Insurance Premiums.....	10,000,000.00
1.6	Bureau of Environment and Planning.....	10,278,000.00
	Total Administration.....	\$ 145,422,000.00
2.	Equipment Purchases and Operations.....	\$ 29,177,000.00
3.	Highway Maintenance.....	\$ 276,859,000.00
4.	State Construction	
4.1	Highway Betterments.....	\$ 9,700,000.00
4.2	State Aid.....	30,622,000.00
4.3	State Industrial Access.....	24,000,000.00
4.4	Local Interstate Connectors.....	4,000,000.00
4.5	Capital Improvements.....	5,193,000.00
	Total State Construction.....	\$ 73,515,000.00
5.	Federal Construction	
5.1	Mass Transit.....	\$ 37,044,000.00
5.2	Planning and Research.....	5,200,000.00
5.3	Interstate Construction.....	17,200,000.00
5.4	Forest Highways.....	200,000.00
5.5	State Highway Construction.....	188,583,000.00
5.6	Bridge Replacement.....	5,200,000.00
5.7	Air, Water, and Rail Transportation.....	47,000,000.00
	Total Federal Construction.....	\$ 300,427,000.00
	Total Title III-30.....	\$ 825,400,000.00

Said funds so appropriated shall be obligated and expended under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51. There is further appropriated to the Department of Transportation such departmental revenue, expressly including federal matching funds, as may accrue to the department.



The "Proposed Highway Program for Fiscal Year 2007-2008", prepared by the Department of Transportation as a supplement to and as "Supporting Data for the Budget Request", is hereby incorporated into and made a part of the Appropriations Act.

Whenever a determination is made that one or more of the projects in the approved program cannot be proceeded with, the Commissioner of Transportation shall furnish, in written form as prescribed by the Chairmen of the Finance, Ways and Means Committees of the Senate and House and the Chairmen of the Transportation Committees of the Senate and House, the reasons for such proposed cancellation or rescheduling of said project, together with a recommendation for a substitute project. The notice of cancellation or rescheduling of said project shall be submitted to the Speaker of the Senate, the Speaker of the House of Representatives, the Chairmen of the Finance, Ways and Means Committees of the Senate and House, the Chairmen of the Transportation Committees of the Senate and House and to the individual Senator and Representative in whose districts the canceled project or proposed substitution is located.

From the funds appropriated above in Item 4.2, State Aid, the sum of \$9,540,000 is allocated for the purpose of funding the state's eighty percent (80%) share of the project cost of the 1990 Bridge Grant Program. For the fiscal 2007-2008 budget, the state shall fund an eighty percent (80%) share of this program and local governments shall be responsible for funding the remaining twenty percent (20%), as set forth in Tennessee Code Annotated, Title 54, Chapter 4, Part 5.

For the fiscal year beginning July 1, 2007, the Commissioner of Transportation shall distribute this money among the ninety-five (95) county geographical areas of the state according to the following formula:

One-half of the funds shall be distributed equally, and one-half shall be distributed on the basis of structural needs. Structural needs shall be determined by calculating the ratio of linear feet of bridges with a load rating of less than ten tons, in each county geographical area, located on public roads other than those on a federal-aid system or the state system of highways, to the total linear feet of like bridges in the state.

### 31. State Funding Board

There is hereby appropriated to the State Funding Board for interest and reduction of the state debt, for debt service expense and interest on proposed bond authorization:

		<u>2007</u>
		<u>-</u>
		<u>2008</u>
1.	Interest on State Debt .....	\$ 41,500,000.00
2.	Retirement of Bonds.....	73,649,000.00
3.	Debt Service Expense.....	1,000,000.00

4.	Amortization of Authorized and Unissued Construction Bonds .....	124,180,000.00
5.	Amortization of Authorized and Unissued Highway Bonds .....	84,800,000.00
6.	Amortization of Bonds Issued – November 2006.....	10,152,000.00
Total Title III-31 .....		\$ 335,281,000.00

The appropriation made under Section 1, Title III-31, Items 1, 2, 3, 4, 5, and 6, is made under the provisions of Tennessee Code Annotated, Title 9, Chapter 9, and may be increased to such amounts as will be necessary to carry out such provisions.

### 32. Capital Outlay

There is hereby appropriated to each of the departments and agencies enumerated herein, funds for major maintenance, equipment, construction and acquisition of land, and for expansion, improvement, betterments and repairs to existing structures. The Commissioner of Finance and Administration is hereby authorized to transfer the amounts herein appropriated to the Capital Projects Fund for the use of the said departments and agencies.

1.	Department of Children's Services .....	\$ 600,000.00
2.	Department of Correction .....	3,300,000.00
3.	Department of Education.....	300,000.00
4.	Department of Environment and Conservation.....	2,522,000.00
5.	Department of Finance and Administration.....	12,660,000.00
6.	Department of Finance and Administration – Mental Retardation...	200,000.00
7.	Department of Military .....	678,000.00
8.	Tennessee Board of Regents.....	15,535,000.00
9.	University of Tennessee.....	5,315,000.00
10.	Department of Finance and Administration – Statewide Capital Maintenance .....	18,190,000.00
Total Title III-32 .....		\$ 59,300,000.00

Said funds herein appropriated shall be used solely for improvements, betterments, and additions to state structures and for the acquisition of additional land and space, including the purchase of existing structures and grants, as described or referred to above and as approved by the State Building Commission; provided, further, that such funds as are appropriated herein shall be utilized to finance only those projects, improvements, betterments, or additions which are presented in the State of Tennessee's 2007-2008 Budget Document, as amended by any changes or additional projects contained in the Appropriations Act as passed on third and final consideration; provided, further, that all funds appropriated in this act or other general acts of this session for capital outlay shall be subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 15, Part 1, and further expressly providing for the making of grants to governmental entities and/or to the Senior Citizens Home Assistance Service, a not-for-profit organization located in Knox County, for an assisted living facility; to the Adventure Science Museum, a not-for-profit organization

located in Davidson County, for the planetarium; to the National Civil Rights Museum, a not-for-profit organization located in Memphis; to the Chattanooga African-American Museum, a not-for-profit organization located in Chattanooga; to the Beck Cultural Exchange Center, a not-for-profit organization located in Knoxville; and to the Bradley Academy Museum and Cultural Center, a not-for-profit organization located in Murfreesboro. Such grants so identified and approved are determined to be for a public purpose.

### 33. Capital Outlay - Sinking Fund

There is hereby appropriated for the fiscal year beginning July 1, 2007, to the Sinking Fund from the receipts of the tax levied by Tennessee Code Annotated, Title 67, Chapter 4, Part 20, "The Excise Tax Law", an amount to be determined by the State Funding Board.

## SECTION 2. Capital Outlay and Major Maintenance

Item 1. Any funds appropriated by this General Assembly for capital outlay, capital maintenance and major maintenance shall not revert to the general fund but shall remain available until expended. It is the intent of the General Assembly that funds of capital outlay nature shall remain available until expended for the purpose for which the appropriations were made.

Item 2. Any unexpended capital outlay or capital maintenance funds appropriated by previous General Assemblies for completed or discontinued projects shall be accumulated in a capital account to be administered by the Department of Finance and Administration. Expenditure of these funds is subject to approval by the State Building Commission upon recommendation by the Commissioner of Finance and Administration of each project to be provided for from said funds; provided, however, no such expenditure for any such project shall be made until written notice of the Commissioner's recommendation and Building Commission's approval of such recommendation has been furnished to the Chairs of the Finance, Ways and Means Committees of the Senate and House of Representatives.

Item 3. From the appropriations made to the State Funding Board in Section 1, Title III-31, the Funding Board is hereby authorized to allocate and provide to the Capital Projects Fund such funds not required for debt service during fiscal year 2007-2008 for projects duly authorized and approved by the General Assembly; provided, however, that when the Funding Board allocates funds under this provision, any other appropriation or bond authorization for said purpose is hereby reduced accordingly.

Item 4. From the funds appropriated for capital outlay in this act and other acts of the legislature, the Commissioner of Finance and Administration, with the approval of the State Building Commission, is authorized to charge the administrative costs of the construction programs to the capital outlay appropriations or to transfer from the

Capital Projects Fund to the general fund an amount sufficient to cover those costs. Such expenditures shall be from non-bond proceeds.

Item 5. From the funds appropriated for capital outlay in this act and other acts of the legislature, the Commissioner of Finance and Administration is authorized to establish and charge the costs of design and engineering positions to the capital outlay appropriations or to transfer from the Capital Projects Fund to the general fund an amount sufficient to cover these costs. This item is subject to approval by the State Building Commission.

Item 6. From the funds appropriated for capital outlay in this act and other acts of the legislature, the Commissioner of Finance and Administration, with the approval of the State Building Commission, is authorized to transfer the appropriations for capital outlay to the Department of Finance and Administration to provide for the centralized administration of capital outlay. It is further the legislative intent to allow for centralized administration of any project recommended by the Commissioner of Finance and Administration and approved by the State Building Commission.

Item 7. To the extent that the accumulated yearly interest and earnings of the Natural Resources Trust Fund are available through June 30, 2007, said funds are hereby appropriated to the Department of Environment and Conservation to be available for projects which are reviewed and evaluated under procedures established by the authority of Tennessee Code Annotated, Section 11-14-308.

Item 8. There is hereby appropriated to the Department of Mental Health and Developmental Disabilities the proceeds from the sale of any real property and facilities being used by the department. The appropriation shall be available to fund the department's master plan for facilities subject to approval by the State Building Commission.

This appropriation is made notwithstanding the provisions of Section 20 of this act and the provisions of Tennessee Code Annotated, Title 54, Chapter 2, Part 2, to the contrary.

Item 9. There is hereby appropriated to the Department of Military the proceeds from the sale of any real property and facilities being used by the department. The appropriation shall be available to fund replacement facilities for the department subject to approval by the State Building Commission.

This appropriation is made notwithstanding the provisions of Section 20 of this act and the provisions of Tennessee Code Annotated, Title 54, Chapter 2, Part 2, to the contrary.

Item 10. Other provisions of the law to the contrary notwithstanding, any proceeds from the sale of surplus land and real property in Davidson County are hereby reappropriated to the

Department of Finance and Administration to provide for the state's office space and support facilities requirements in Davidson County.

This appropriation is made notwithstanding the provisions of Section 20 of this act and the provisions of Tennessee Code Annotated, Title 54, Chapter 2, Part 2, to the contrary. Any reappropriation made pursuant to the provisions of this item is subject to the approval of the State Building Commission.

Item 11. The appropriation in Section 1, Title III-7, to the Department of Correction, Sentencing Act of 1985, is made pursuant to TCA, Section 9-4-210.

(a) The appropriation reflects a base appropriation reduction of \$11,000,000, which recognizes the increased recurring operating costs at the expanded Brushy Mountain Correctional Complex in fiscal years 2006-2007 and 2007-2008.

(b) The appropriation in the amount of \$25,453,200 is hereby reappropriated to the department for major maintenance and capital outlay purposes.

(c) From the balance of the reserve fund carried forward at June 30, 2007, there is hereby appropriated the sum of \$3,246,800 to the department for major maintenance and capital outlay purposes in the 2007-2008 fiscal year.

(d) From any remaining reserve fund balance carried forward at June 30, 2007, there is hereby appropriated a sum sufficient to the department for major maintenance and capital outlay purposes.

(e) Other appropriations made under this act to the Department of Correction, Sentencing Act of 1985, are hereby reappropriated to the department for major maintenance and capital outlay purposes.

(f) On or before October 1, 2007, the Commissioner of Finance and Administration shall submit a detailed financial report to the Chairs of the Finance, Ways and Means Committees of the Senate and House of Representatives and to the Chair of the Corrections Oversight Committee concerning all activities of the "Sentencing Act of 1985 reserve account (established and maintained pursuant to TCA, § 9-4-210)" during fiscal year 2006 - 2007. The report shall indicate the account balance on July 1, 2006, and shall itemize all funds deposited into the reserve account as well as all funds allocated from the reserve account. For each such allocation from the reserve account, the report shall describe the purpose, amount and location of the allocation as

well as any other information deemed to be informative by the Commissioner.

Item 12. From the appropriation made in Section 1, Title III-3, Item 4, to the Department of Agriculture, Forestry Operations, the sum of \$3,457,100 is intended to fund the replacement of bulldozers and associated equipment and to provide for debt service on equipment revolving fund bonds. Any unexpended funds for this purpose may be transferred to the State Funding Board and the board is directed to cancel bonds in said amount.

Item 13. The appropriation made in Section 1, Title III-2, Item 3.9 in the amount of \$13,000,000 is intended to provide for debt service on ten-year general obligation bonds in the amount of \$81,300,000 authorized by Chapter 962, Public Acts of 2006, to provide funds for the acquisition and implementation of enterprise resource planning software. Any unexpended funds for this purpose shall be transferred to the State Funding Board and the board is directed to cancel bonds in said amount.

### SECTION 3.

Item 1. Appropriations made under Section 1, Titles III-11 and III-16, for the operation of the state regulatory boards, shall be subject to allotment by the Commissioner of Finance and Administration, and no expenditure shall be made by any said boards out of fees collected by them unless and until such allotments have been made by the Commissioner of Finance and Administration. Such allotments for the operation of said respective boards as are made by the Commissioner of Finance and Administration shall be disbursed under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51.

The allotment hereinabove provided shall be subject to the condition that no money shall be paid therefrom for the salary of any employee of said boards unless and until such salary has been approved by the Commissioner of Personnel. The appointment of all employees of said boards shall likewise be approved by the Commissioner of Personnel.

Notwithstanding any provision of law to the contrary, no member of any board or commission established by law or pursuant to law, which receives an appropriation under this act, regardless of the source of funding, shall receive any compensation, whether denominated per diem or by whatever name called, except for days in which such member actually works four (4) or more hours performing duties directly relating to that board's or commission's activities, or for time or days spent attending meetings of that board or commission. The chairman or head of each board or commission, the department head to which such board or commission is attached administratively, and the Commissioner of Finance and Administration, shall prescribe procedures to contain, as a

minimum, a certification of time worked by each member claiming compensation.

Item 2. Except as otherwise provided in this section, the appropriations to the Wildlife Resources Agency under Section 1, Title III-6, shall be paid out of the special fund established under Tennessee Code Annotated, Title 70, Chapter 1, Part 4 and Section 69-10-203. Such appropriations shall be expended under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51, and shall be used only for the expenses of the Wildlife Resources Agency pursuant to Tennessee Code Annotated, Title 70 and Title 69, Chapter 10, Part 2, and no part of the unexpended fund left at the end of the fiscal year shall be used for any other purpose but shall be carried over in said fund and may be expended during the next year, and all of said fees and revenues provided by Tennessee Code Annotated, Title 70 and Title 69, Chapter 10, Part 2, are herein specifically apportioned and appropriated to the use and for the benefit of the Wildlife Resources Agency to be expended under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51. Nothing in this item shall be construed as relieving the Wildlife Resources Agency of the duty of policing littering of lakes and streams.

Item 3. The appropriation to the State Board of Law Examiners in Section 1, Title II, Item 13, shall be from funds generated by fees collected by the board under the provisions of Tennessee Code Annotated, Title 23, Chapter 1.

In case the appropriation to the board shall prove inadequate to allow the board to function efficiently, the Commissioner of Finance and Administration may make an additional allotment thereto from the general fund, the total of all allotments to the board not to exceed the revenues paid into the treasury by the board.

Item 4. The appropriation to the Department of Financial Institutions in Section 1, Title III-12, shall be derived from banking fees assessed pursuant to Tennessee Code Annotated, Title 45, Chapter 1, Part 1. No part of the unexpended fees left at the end of the fiscal year shall revert to the general fund.

## DEPARTMENTAL REVENUES

SECTION 4. All departmental revenues of every kind, as hereinafter defined, collected by any department, institution, office, or agency, in the course of its operations, for its own use, are hereby appropriated to it in addition to the specific appropriations made by this act, unless otherwise provided in this act or other provision of law. Federal aid funds granted to the state for the use of or to be administered by any department, institution, or agency, are likewise appropriated. For the purpose of this section "departmental revenues" are defined as (1) earnings or charges for goods or services; (2) donations, contributions or participation by political subdivisions, foundations, corporations, firms or persons. State revenues, in contradistinction to departmental revenues,

are the proceeds of taxes, licenses, fees, fines, forfeiture or other imposts laid specifically by law.

Notwithstanding any provision of the previous paragraph, the Department of Health shall deposit all funds generated by fees or taxes collected by such entity in the general fund of the state. Any appropriations for the operation of such entity shall be subject to allotment by the Commissioner of Finance and Administration, and no expenditure shall be made by any such entity out of fees or taxes collected by it, unless and until such allotments have been made by the Commissioner of Finance and Administration. Such allotments for the operation of such entity as are made by the Commissioner of Finance and Administration shall be disbursed under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51.

The departmental revenues and federal aid funds appropriated under this act shall include the amounts hereinafter set out:

LEGISLATIVE		I.
<u>007-2008</u>		<u>2</u>
1.	Legislative Administration Services .....	\$ 17,000.00
2.	House of Representatives .....	28,500.00
3.	State Senate .....	22,000.00
4.	General Assembly Support Services .....	70,000.00
Total Title I .....		\$ 137,500.00
II. JUDICIAL		
1.	Appellate and Trial Courts .....	\$ 27,300.00
2.	Supreme Court Buildings .....	613,000.00
3.	Child Support Referees .....	1,143,600.00
4.	Indigent Defendants' Counsel.....	5,000.00
5.	Tennessee State Law Libraries .....	10,000.00
6.	Appellate Court Clerks .....	1,627,100.00
7.	Judicial Programs and Commissions.....	388,500.00
8.	Administrative Office of the Courts .....	426,200.00
9.	Judicial Conference.....	25,000.00
10.	Council of Juvenile and Family Court Judges .....	35,600.00
Total Title II .....		\$ 4,301,300.00
III. EXECUTIVE		
1.	Constitutional and Quasi-Judicial Offices	
1.	Attorney General and Reporter	



1.1	Attorney General and Reporter .....	\$	11,578,600.00
1.2	Special Litigation .....		785,800.00
	Total Attorney General and Reporter .....	\$	12,364,400.00
2.	District Attorneys General Conference		
2.1	District Attorneys General .....	\$	4,767,900.00
2.2	District Attorneys General Conference .....		107,800.00
2.3	Executive Director .....		963,700.00
2.4	IV-D Child Support Enforcement .....		14,210,600.00
	Total District Attorneys General Conference .....	\$	20,050,000.00
3.	Secretary of State		
3.1	Secretary of State .....	\$	6,796,500.00
3.2	State Library and Archives .....		3,592,900.00
3.3	Regional Library System .....		822,500.00
3.4	Library Construction .....		400,000.00
3.5	Registry of Election Finance .....		27,000.00
3.6	Economic Council on Women .....		68,000.00
3.7	Charitable Solicitations and Charitable Gaming .....		1,699,000.00
3.8	Help America Vote Act .....		20,500,000.00
3.9	Ethics Commission .....		350,000.00
	Total Secretary of State .....	\$	34,255,900.00
4.	District Public Defenders Conference		
4.1	District Public Defenders .....	\$	1,220,200.00
	Total District Public Defenders Conference .....	\$	1,220,200.00
5.	Comptroller of the Treasury		
5.1	Division of Administration .....	\$	101,900.00
5.2	Office of Management Services .....		252,500.00
5.3	Capitol Print Shop .....		1,300,000.00
5.4	Division of State Audit .....		4,426,400.00
5.5	Division of County Audit .....		800,000.00
5.6	Division of Municipal Audit .....		215,000.00
5.7	Division of Bond Finance .....		435,100.00
5.8	Division of Property Assessments .....		1,785,000.00
5.9	State Board of Equalization .....		82,500.00
5.10	Offices of Research and Education Accountability .....		802,600.00
5.11	Office of State Assessed Properties .....		125,000.00
5.12	Telecommunications Ad Valorem Tax Equity Payments .....		172,100.00
	Total Comptroller of the Treasury .....	\$	10,498,100.00
6.	Treasury Department		
6.1	Treasury Department .....	\$	22,433,100.00
6.2	Small and Minority-Owned Business Assistance Program ..		249,700.00
	Total Treasury Department .....	\$	22,682,800.00
7.	Claims and Compensation		
7.1	Criminal Injuries Compensation .....	\$	5,055,000.00
7.2	Unclaimed Property .....		26,400,000.00

7.3	Risk Management Fund.....	\$	54,433,200.00
	Total Claims and Compensation .....	\$	85,888,200.00
	Total Title III-1 .....	\$	186,959,600.00
2.	Executive Offices		
1.	Commissions		
1.1	Commission on Children and Youth.....	\$	7,010,700.00
1.2	Commission on Aging and Disability .....		27,276,400.00
1.3	Alcoholic Beverage Commission.....		5,242,500.00
1.4	Human Rights Commission .....		714,100.00
1.5	Advisory Commission on Intergovernmental Relations .....		2,151,500.00
1.6	Tennessee Housing Development Agency .....		265,655,400.00
1.7	Arts Commission .....		1,368,900.00
1.8	Tennessee Regulatory Authority.....		353,400.00
1.9	Health Services and Development Agency .....		16,400.00
1.10	Corrections Institute.....		15,000.00
1.11	Tennessee Rehabilitative Initiative in Correction.....		33,506,200.00
1.12	State Museum .....		25,000.00
	Total Commissions .....	\$	343,335,500.00
2.	Department of Finance and Administration		
2.1	Division of Administration.....	\$	11,580,500.00
2.2	Office of Information Resources.....		138,871,400.00
2.3	Insurance Administration .....		17,345,900.00
2.4	Division of Accounts .....		12,299,500.00
2.5	Criminal Justice Programs .....		27,578,800.00
2.6	Real Property Administration .....		4,091,600.00
2.7	Volunteer Tennessee.....		4,320,300.00
2.8	Resource Development and Support .....		185,000.00
2.9	Office of Inspector General .....		5,579,700.00
2.10	Enterprise Resource Planning .....		13,843,700.00
2.11	State Health Planning Division.....		16,759,700.00
2.12	Division of Shared Services .....		862,000.00
	Total Department of Finance and Administration .....	\$	253,318,100.00
3.	Department of Personnel		
3.1	Executive Administration.....	\$	1,050,200.00
3.2	Human Resource Development .....		1,925,800.00
3.3	Technical Services.....		2,654,900.00
	Total Department of Personnel .....	\$	5,630,900.00
4.	Department of General Services		
4.1	Administration.....	\$	6,241,400.00
4.2	Postal Services .....		17,097,000.00
4.3	Property Utilization.....		1,966,900.00
4.4	Motor Vehicle Management.....		34,119,200.00
4.5	Property Management .....		13,311,700.00
4.6	Printing .....		4,570,800.00
4.7	Purchasing .....		4,594,900.00

4.8	Central Stores.....	7,819,700.00
4.9	Records Management .....	1,442,900.00
4.10	Food Services Program .....	4,985,000.00
	Total Department of General Services .....	\$ 96,149,500.00
5.	Department of Veterans Affairs .....	\$ 470,300.00
	Total Title III-2 .....	\$ 698,904,300.00
3.	Department of Agriculture	
1.	Administration and Grants .....	\$ 4,931,500.00
2.	Regulatory Services .....	6,608,200.00
3.	Market Development .....	233,000.00
4.	Forestry Operations.....	7,656,300.00
5.	Grain Indemnity Fund.....	126,700.00
6.	Agricultural Regulatory Fund .....	120,000.00
	Total Title III-3 .....	\$ 19,675,700.00
4.	Department of Tourist Development	
1.	Administration and Marketing .....	\$ 510,000.00
2.	Welcome Centers.....	5,642,600.00
	Total Title III-4 .....	\$ 6,152,600.00
5.	Department of Environment and Conservation	
1.	Administrative Services .....	\$ 9,545,700.00
2.	Recreation Educational Services.....	4,544,400.00
3.	Historical Commission.....	505,100.00
4.	Land and Water Conservation Fund.....	750,000.00
5.	Archaeology .....	167,600.00
6.	Geology.....	155,600.00
7.	Tennessee State Parks .....	34,816,400.00
8.	Natural Areas .....	283,800.00
9.	State Parks Maintenance .....	284,600.00
10.	West Tennessee River Basin Authority .....	346,400.00
11.	Environment Administration.....	4,207,500.00
12.	Air Pollution Control.....	11,681,400.00
13.	Radiological Health .....	5,249,700.00
14.	Water Pollution Control .....	11,818,400.00
15.	Solid Waste Management .....	9,186,700.00
16.	DOE Oversight.....	6,633,800.00
17.	Hazardous Waste Remedial Action Fund .....	10,609,100.00
18.	Water Supply .....	6,122,800.00
19.	Groundwater Protection .....	5,821,200.00
20.	Underground Storage Tanks .....	2,087,700.00
21.	Clean Water and Drinking Water State Revolving Fund .....	44,647,000.00
22.	Used Oil Collection Program .....	234,000.00

23.	State Lands Compensation Fund .....	42,000.00
24.	Fleming Training Center .....	430,300.00
25.	Office of Environmental Assistance .....	465,800.00

Total Title III-5 ..... \$ 170,637,000.00

6. Wildlife Resources Agency

1.	Wildlife Resources Agency .....	\$ 26,482,500.00
2.	Boating Safety .....	3,654,100.00
3.	Wetlands Acquisition Fund .....	140,000.00

Total Title III-6 ..... \$ 30,276,600.00

7. Department of Correction

1.	Administration .....	\$ 4,751,900.00
2.	Correction Academy .....	64,900.00
3.	Wayne County Boot Camp .....	342,500.00
4.	Brushy Mountain Correctional Complex .....	1,403,400.00
5.	Tennessee Prison for Women .....	843,100.00
6.	Turney Center Industrial Prison and Farm .....	984,500.00
7.	Mark Luttrell Correctional Facility .....	542,000.00
8.	Charles B. Bass Correctional Complex .....	1,131,800.00
9.	Southeastern Tennessee State Regional Correctional Facility .....	788,100.00
10.	West Tennessee State Penitentiary .....	1,320,200.00
11.	Riverbend Maximum Security Institution .....	426,900.00
12.	Northeast Correctional Complex .....	1,316,500.00
13.	South Central Correctional Center .....	18,700.00
14.	Northwest Correctional Complex .....	1,732,400.00
15.	Lois M. DeBerry Special Needs Facility .....	397,400.00
16.	Hardeman County Incarceration Agreement .....	18,900.00
17.	Federal Construction Grants .....	15,310,000.00
18.	Hardeman County Agreement – Whiteville .....	18,700.00
19.	Sentencing Act of 1985 .....	7,500.00

Total Title III-7 ..... \$ 31,419,400.00

8. Department of Economic and Community Development

1.	Administrative Services .....	\$ 423,300.00
2.	Business Development .....	120,000.00
3.	Regional Grants Management .....	27,687,600.00
4.	Business Services .....	1,715,500.00
5.	Community Development .....	1,986,900.00
6.	Energy Division .....	2,781,700.00
7.	FastTrack Infrastructure Development Program .....	83,100.00
8.	Tennessee Job Skills Program .....	9,527,500.00
9.	Film and Television Incentive Fund .....	48,600.00

Total Title III-8 ..... \$ 44,374,200.00

## 9. Department of Education

1.	Administration .....	\$	1,574,400.00
2.	Training and Professional Development .....		224,800.00
3.	Curriculum and Instruction.....		30,163,500.00
4.	Improving Schools Program .....		29,330,800.00
5.	School Nutrition Programs.....		215,173,400.00
6.	Special Education Services .....		235,478,000.00
7.	Career and Technical Education Programs .....		36,338,200.00
8.	Alvin C. York Institute .....		1,042,100.00
9.	Tennessee School for the Blind.....		868,700.00
10.	Tennessee School for the Deaf .....		543,400.00
11.	West Tennessee School for the Deaf .....		222,700.00
12.	Tennessee Early Intervention Services .....		10,562,700.00
13.	Accountability and Assessment.....		13,426,600.00
14.	ESEA No Child Left Behind .....		308,351,400.00
15.	Technology, Infrastructure, and Support Systems .....		1,581,500.00
16.	Early Childhood Education .....		27,825,800.00

Total Title III-9 ..... \$ 912,708,000.00

## 10. Higher Education

1.	Tennessee Higher Education Commission.....	\$	5,825,400.00
2.	Tennessee Student Assistance Awards .....		1,562,400.00
3.	Federal Family Education Loan Program (FFELP) .....		127,502,500.00
4.	Tennessee Student Assistance Corporation.....		19,832,300.00
5.	Academic Scholars Program .....		378,700.00
6.	Loan/Scholarship Programs .....		1,715,900.00
7.	THEC Grants.....		1,286,900.00
8.	Geier Desegregation Settlement .....		1,960,900.00

Total Title III-10 ..... \$ 160,065,000.00

## 11. Department of Commerce and Insurance

1.	Administration .....	\$	6,502,100.00
2.	Insurance .....		13,017,400.00
3.	Fire Prevention.....		18,708,300.00
4.	Securities .....		2,003,800.00
5.	Regulatory Boards .....		562,500.00
6.	TennCare Oversight.....		2,777,500.00
7.	Consumer Affairs .....		21,200.00
8.	Fire Service and Codes Enforcement Academy .....		1,531,600.00
9.	Tennessee Law Enforcement Training Academy .....		1,050,000.00

Total Title III-11 ..... \$ 46,174,400.00

## 12. Department of Financial Institutions..... \$ 7,717,100.00

Total Title III-12 ..... \$ 7,717,100.00

## 13. Department of Labor and Workforce Development

1.	Administration .....	\$	6,499,300.00
2.	Tennessee Occupational Safety and Health Administration (TOSHA) .....		4,108,400.00
3.	Workers' Compensation .....		32,000.00
4.	Mines .....		277,500.00
5.	Boilers and Elevators .....		3,538,700.00
6.	Labor Standards .....		204,600.00
7.	Employment and Training .....		68,962,600.00
8.	Second Injury Fund .....		275,000.00
9.	Adult Basic Education .....		17,301,500.00
10.	Employment Security .....		82,493,000.00

Total Title III-13 ..... \$ 183,692,600.00

## 14. Department of Mental Health and Developmental Disabilities

1.	Administration		
1.1	Administrative Services Division .....	\$	4,604,600.00
	Total Administration .....	\$	4,604,600.00
2.	Mental Health Services		
2.1	Community Mental Health Services .....	\$	12,024,900.00
2.2	Lakeshore Mental Health Institute .....		16,646,800.00
2.3	Middle Tennessee Mental Health Institute .....		27,366,600.00
2.4	Western Mental Health Institute .....		23,675,500.00
2.5	Moccasin Bend Mental Health Institute .....		16,231,400.00
2.6	Memphis Mental Health Institute .....		11,858,200.00
	Total Mental Health Services .....		107,803,400.00

Total Title III-14 ..... \$ 112,408,000.00

## 15. Department of Military

1.	Administration .....	\$	723,000.00
2.	Army National Guard .....		6,727,700.00
3.	Air National Guard .....		12,593,500.00
4.	Tennessee Emergency Management Agency .....		8,570,800.00
5.	Armories Maintenance .....		3,132,400.00
6.	TEMA Disaster Relief Grants .....		5,000,000.00
7.	Armories Utilities .....		1,521,100.00
8.	Homeland Security Grants .....		55,000,000.00

Total Title III-15 ..... \$ 93,268,500.00

## 16. Department of Health

1.	Administration
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1.1	Executive Administration.....	\$	1,104,600.00
1.2	Administrative Services .....		1,163,500.00
1.3	Policy Planning and Assessment .....		5,693,800.00
	Total Administration .....	\$	7,961,900.00
2.	Manpower Resources and Facilities		
2.1	Bureau of Health Licensure and Regulation.....	\$	8,302,800.00
2.2	Emergency Medical Services.....		3,545,300.00
2.3	Laboratory Services.....		9,578,900.00
	Total Manpower Resources and Facilities .....	\$	21,427,000.00
3.	Community Health Services		
3.1	General Environmental Health .....	\$	28,600.00
3.2	Health Services Administration .....		3,864,400.00
3.3	Maternal and Child Health .....		12,962,500.00
3.4	Communicable and Environmental Disease Services .....		43,511,600.00
3.5	Community and Medical Services.....		17,588,000.00
3.6	Women, Infants, and Children (WIC) .....		119,329,800.00
	Total Community Health Services.....	\$	197,284,900.00
4.	Local Health		
4.1	Local Health Services .....	\$	130,727,000.00
	Total Local Health.....	\$	130,727,000.00
5.	Alcohol and Drug Abuse Services		
5.1	Alcohol and Drug Abuse Services.....	\$	42,524,000.00
	Total Alcohol and Drug Abuse Services.....	\$	42,524,000.00
	Total Title III-16 .....	\$	399,924,800.00
17.	Department of Human Services		
1.	Administration		
1.1	Administration.....	\$	40,025,400.00
1.2	Field Operations .....		15,257,000.00
1.3	County Rentals .....		11,044,500.00
1.4	Appeals and Hearings .....		10,979,100.00
	Total Administration .....	\$	77,306,000.00
2.	Family Assistance Services		
2.1	Child Support.....	\$	56,607,800.00
2.2	Temporary Cash Assistance .....		110,036,700.00
2.3	Family Assistance Services .....		102,837,100.00
2.4	Food Stamp Benefits .....		1,009,125,000.00
2.5	Child Care Benefits.....		170,035,400.00
	Total Family Assistance Services .....	\$	1,448,642,000.00
3.	Social Services		
3.1	Community Services .....	\$	135,386,500.00

	Total Social Services .....	\$ 135,386,500.00
4.	Rehabilitative Services	
4.1	Vocational Rehabilitation .....	\$ 68,765,300.00
4.2	Disability Determination .....	54,640,300.00
	Total Rehabilitative Services.....	\$ 123,405,600.00
	Total Title III-17 .....	\$ 1,784,740,100.00
18.	Department of Revenue	
1.	Administration Division .....	\$ 2,919,800.00
2.	Tax Enforcement Division.....	2,623,800.00
3.	Information Technology Resources Division.....	3,577,000.00
4.	Taxpayer and Vehicle Services Division.....	2,803,400.00
5.	Audit Division .....	9,022,300.00
6.	Processing Division .....	2,480,600.00
	Total Title III-18 .....	\$ 23,426,900.00
19.	Tennessee Bureau of Investigation.....	\$ 21,736,200.00
	Total Title III-19 .....	\$ 21,736,200.00
20.	Department of Safety	
1.	Administration .....	\$ 546,000.00
2.	Driver License Issuance .....	18,203,100.00
3.	Highway Patrol.....	19,372,800.00
4.	Auto Theft Investigations.....	350,100.00
5.	Motor Vehicle Operations .....	60,000.00
6.	Office of Homeland Security.....	4,107,200.00
7.	Technical Services .....	8,239,100.00
	Total Title III-20 .....	\$ 50,878,300.00
21.	Cover Tennessee Health Care Programs	
1.	AccessTN .....	\$ 1,000,000.00
2.	CoverKids .....	63,600,000.00
	Total Title III-21 .....	\$ 64,600,000.00
22.	Department of Children's Services	
1.	Administration .....	\$ 24,835,100.00
2.	Family Support Services .....	12,546,700.00
3.	Custody Services .....	129,471,400.00
4.	Adoption Services .....	29,156,100.00
5.	Child and Family Management.....	138,926,200.00
6.	John S. Wilder Youth Development Center .....	247,600.00



7.	Taft Youth Development Center .....	529,400.00
8.	Woodland Hills Youth Development Center.....	303,600.00
9.	Mountain View Youth Development Center .....	290,200.00
10.	Community Treatment Facilities .....	2,503,800.00
11.	New Visions Youth Development Center.....	58,500.00

Total Title III-22 ..... \$ 338,868,600.00

23. Board of Probation and Parole

1.	Probation and Parole Services .....	\$ 889,200.00
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Total Title III-23 ..... \$ 889,200.00

24. Department of Finance and Administration – Mental Retardation

1.	Mental Retardation Administration.....	\$ 14,400,200.00
2.	Developmental Disabilities Council.....	2,250,300.00
3.	Community Mental Retardation Services.....	546,925,200.00
4.	West Tennessee Regional Office .....	12,911,800.00
5.	Middle Tennessee Regional Office.....	9,472,500.00
6.	East Tennessee Regional Office .....	11,162,300.00
7.	Arlington Developmental Center.....	48,207,300.00
8.	Clover Bottom Developmental Center .....	50,483,500.00
9.	Greene Valley Developmental Center .....	77,605,700.00

Total Title III-24 ..... \$ 773,418,800.00

25. Department of Finance and Administration – TennCare Program

1.	TennCare Administration.....	\$ 137,808,600.00
2.	TennCare Services .....	3,249,553,800.00
3.	Waiver and Crossover Services .....	691,596,900.00
4.	Long Term Care Services .....	811,200,000.00
5.	Governor's Office of Children's Care Coordination .....	4,150,900.00

Total Title III-25 ..... \$4,894,310,200.00

26. Department of Transportation

1.	Highway Maintenance .....	\$ 1,100,000.00
2.	Highway Betterments .....	100,000.00
3.	State Aid .....	9,414,000.00
4.	State Industrial Access.....	200,000.00
5.	Local Interstate Connectors.....	4,000,000.00
6.	Mass Transit .....	111,681,000.00
7.	Planning and Research .....	12,700,000.00
8.	Interstate Construction .....	156,000,000.00
9.	Forest Highways .....	700,000.00
10.	State Highway Construction .....	605,150,000.00
11.	Bridge Replacement.....	69,100,000.00

12.	Air, Water, and Rail Transportation .....	21,000,000.00
	Total Title III-26 .....	\$ 991,145,000.00
27.	Facilities Revolving Fund	
1.	General Services Operating Maintenance .....	\$ 46,429,600.00
2.	General Services Project Maintenance.....	1,700,000.00
3.	Facilities Management .....	42,935,000.00
4.	Capital Projects .....	10,000,000.00
5.	Debt Service .....	22,000,000.00
	Total Title III-27 .....	\$ 123,064,600.00

### REFUND OF RECEIPTS

#### SECTION 5.

Item 1. There is hereby appropriated the necessary and sufficient sums to refund any collection or part thereof made erroneously or illegally for the use or benefit of the state or any of its departments, institutions, offices or agencies. Such refunds shall be made in accordance with existing law as applicable in any particular case. In case revenues are not adequate to meet in full all appropriations made, the appropriations made for Sinking Fund Debt Service and the amounts necessary to cover the salary and wage obligations of the state shall have preferential payment.

Item 2. With respect to any revenues or receipts collected by any department or agency with the exception of those collected by the Department of Revenue, notwithstanding any provisions of the law to the contrary, such amounts as are determined to have been erroneously paid may be refunded by such procedure as may be approved by the Commissioner of Finance and Administration and the Comptroller of the Treasury.

SECTION 6. In addition to the appropriations made to the State Funding Board in Section 1, Title III-31, of this act, there is appropriated the following items:

Item 1. There is hereby appropriated a sum sufficient from the internal service funds available to the Department of Finance and Administration, Office of Information Resources, to provide the debt service on general obligation bond and note issues authorized in the following amounts:

(1) Chapter 850, Public Acts of 1994 .....	\$ 13,800,000.00
(2) Chapter 952, Public Acts of 1996 .....	\$ 20,000,000.00
(3) Chapter 962, Public Acts of 2006 .....	\$ 81,300,000.00

Item 2. From the funds appropriated in Section 1, Title III-31, Item 5, Amortization of Authorized and Unissued Highway Bonds, the sum of \$83,800,000.00 is appropriated in lieu of issuing highway bonds under the provisions of Chapter 401, Public Acts of 1999; and the sum of \$1,000,000.00 is appropriated in lieu of issuing bonds under the provisions of Chapter 958, Public Acts of 2004. The State Funding Board shall take the necessary action to cancel the unissued bonds.

Item 3. For the purpose of defraying the costs of issuance of debt and the administration of authorized programs of the Tennessee Local Development Authority, there is hereby appropriated to the Tennessee Local Development Authority an amount not to exceed \$25,000.00 from the State Loan Program Fund. Such amounts shall be determined as necessary by the State Funding Board and the Tennessee Local Development Authority.

Item 4. In addition to the appropriation made in Section 1, Title III-31, there is hereby appropriated a sum sufficient to pay for debt service attributable to any obligations issued pursuant to Chapter 990, Public Acts of 1996. Said appropriation shall be derived from revenues, fees or other funds resulting from the development and operation of facilities funded under the provisions of Chapter 990, Public Acts of 1996, and any other amounts which may be appropriated therefor. Pursuant to procedures as may be determined by the Commissioner of Finance and Administration, such debt service payments shall be transferred to the debt service fund.

Subject to the approval of the Commissioner of Finance and Administration, there is hereby authorized to be expended from available funds of the state such amounts as may be necessary to pay debt service on any obligations issued pursuant to Chapter 990, Public Acts of 1996, prior to commencement of operations of any such facilities; provided, however, any state funds utilized for this purpose, shall, together with interest thereon, be repaid from such facilities revenues pursuant to terms and conditions as may be prescribed by the State Funding Board.

Item 5. From the appropriation made in Section 1, Title III-31, of this act to the State Funding Board, a sum not to exceed \$4,000,000 is earmarked to pay debt service on general obligation bonds issued under the authority of Chapter 582, Public Acts of 1996, for the purpose of making a grant to the Metropolitan Government of Nashville and Davidson County for the construction of a sports stadium. It is the legislative intent that said appropriations shall be funded first from the sales tax revenues allocated under the provisions of Tennessee Code Annotated, Section 67-6-103(d)(1), and any revenues in excess of debt service requirements shall be reserved at June 30 and not revert to the fund balance and that said appropriations, to the extent required, shall be funded second from revenues and reserves available to the debt service fund.

Item 6. From the funds appropriated in Sections 1 and 4 of this act to provide for defraying expenses of state government with respect to leased facilities in this act and other acts of the legislature, the Commissioner of Finance and Administration, with the approval of the State Building Commission, is authorized to transfer a sum or sums sufficient to the debt service fund as required for any debt issued under the authorization of Chapter 338, Public Acts of 2003.

Item 7. To provide the debt service on the general obligation bonds authorized under Chapter 313, Public Acts of 2003, there is hereby appropriated a sum sufficient from the funds available to the State Funding Board pursuant to agreements entered into thereunder.

Item 8. From the funds appropriated in Section 1 and Section 4 of this act to the Tennessee Board of Regents for defraying operating expenses in this act and other acts of legislature, with the approval of the State Building Commission a sum sufficient is appropriated to be used for payments to the State Funding Board as required for any debt issued under the authorization of Chapter 313, Public Acts of 2003.

Item 9. In addition to the appropriations made in Section 1, Title III-31, of this act to the State Funding Board, and to the extent that the board issues any tax revenue anticipation notes pursuant to the provisions of Tennessee Code Annotated, Section 9-9-301, there is hereby appropriated a sum sufficient from subsequently available funds of the state to pay debt service on such notes within the fiscal year of issuance.

SECTION 7. The appropriations made by this act under Sections 1 and 4 shall be subject to the following provisions, limitations, or restrictions. From the funds appropriated to the:

Item 1. It is the legislative intent that annual dues assessed by the Council of State Governments (CSG) and the National Conference of State Legislatures (NCSL) be paid quarterly and timely from the funds appropriated in Section 1, Title III-22, Item 24 for Intergovernmental Conferences Dues. CSG dues for 2007-2008 shall be remitted in four (4) equal payments of \$32,489.75 (\$129,959 annualized), and NCSL dues shall be remitted in four (4) equal payments of \$39,065.75 (\$156,263 annualized).

Item 2. From the appropriation made for the State Election Commission under Section 1, Title III-1, Item 3.2, there is hereby appropriated funds for expenses of the State Election Commission, including the printing of election laws, the office of the Coordinator of Elections, and other expenses of administering election laws. The salary of each member of the State Election Commission shall be seven thousand two hundred dollars (\$7,200.00) annually, except that the Chairman of the State Election Commission shall be paid an additional one thousand eight hundred dollars (\$1,800.00) annually for additional duties required of him and the Secretary of the State Election

Commission shall be paid an additional one thousand two hundred dollars (\$1,200.00) annually for additional duties required of him. The Secretary of State is hereby authorized to make all necessary purchases of election supplies from funds appropriated for such purpose in accordance with state purchasing procedures.

Item 3. From the funds appropriated to the Office of the Comptroller of the Treasury and the Department of Finance and Administration, there is hereby authorized to be allocated an amount not to exceed \$45,000.00 for the purpose of meeting the State of Tennessee's participation in the cost of supporting the National Council on Governmental Accounting or a governmental accounting standards board in the establishment of governmental accounting standards and principles.

Item 4. Maintenance of the Tennessee Residence in the amount of forty-eight thousand dollars (\$48,000.00) per year, and travel expenses as certified by the Governor, shall be paid by the Commissioner of Finance and Administration from the appropriations made under Section 1, Title III-2, Item 1.1, for the Governor's Office, it being the legislative intent that the residence should be maintained and operated as the official residence and office of the Chief Executive of Tennessee in a manner required of the Office of Governor.

Item 5. Tennessee Arts Commission in Section 1, Title III-2, Item 2.8, the sum of \$80,000.00 is hereby appropriated for the purpose of making a grant to Fisk University for the necessary staff, services and other costs associated with maintaining and showing the Stieglitz Collection at Fisk University. It is the legislative intent that this appropriation is a direct appropriation grant and that it be processed accordingly by the Commissioner of Finance and Administration. This appropriation is made under the provisions of Tennessee Code Annotated, Section 4-20-202.

Item 6. Tennessee Arts Commission in Section 1, Title III-2, Item 2.8, the grant to the Knoxville Arts Council for ticket subsidies for students in East Tennessee shall provide for a sub-grant to the Allied Arts of Greater Chattanooga. It is the legislative intent that the grant be shared on a per student basis.

Item 7. Department of Finance and Administration in Section 1, Title III-2, Item 3, there is hereby earmarked a sum sufficient from the proceeds of the \$15.00 privilege tax on marriage licenses for purposes of funding family violence shelters and shelter services. This appropriation is made under the provisions of Tennessee Code Annotated, Section 67-4-411.

Item 8. Board of Probation and Parole in Section 1, Title III-23, Item 2, the board is authorized to make a grant of up to \$182,000 to "Project Return".

Item 9. Board of Probation and Parole in Section 1, Title III-24, Item 2, the sum of \$136,500 is for the sole purpose of making a grant in such amount to Dismas, Inc., to be used for assisting with their programs in the State of Tennessee, and for no other purpose. From the funds appropriated to Dismas, Inc., there is earmarked the sum of \$25,000 to Chattanooga Endeavors (formerly Dismas House of Chattanooga) and \$8,000 to Better Decisions (formerly DECISIONS, a program of the DISMAS, Inc. home office) for the sole purpose of maintaining operations at their former level.

Item 10. Department of Economic and Community Development in Section 1, Title III-8, the amount of \$100,000.00 is to be paid to the Nashville Business Development Center and the amount of \$100,000.00 is to be paid to the Memphis Business Development Corporation as direct appropriation grants.

Item 11. Commission on Fire Fighting Personnel Standards and Education in Section 1, Title III-11, Item 3, funds are earmarked for payment to eligible units of local government to pay bonus supplements to firemen who successfully complete during calendar year 2007 an in-service training program appropriate to such fireman's rank and responsibility and the size and location of his department of at least forty (40) hours duration at a school established or certified by such commission. The funds appropriated by this item shall be disbursed in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 24 and Section 56-4-205(c), and no supplement to any person shall exceed four hundred fifty dollars (\$450.00).

Item 12. Department of Health in Section 1, Title III-16, the amount of \$113,700 is to be paid to St. Jude Hospital in Memphis to defray, in whole or in part, the expenses of patients and their families who are citizens and residents of Tennessee in traveling to and from St. Jude Hospital. Such payments shall be administered by the hospital and shall be made on the basis of need. Such patients, or their families, requesting assistance from these funds shall supply such documents supporting need and travel expenses as the hospital may require.

Item 13. POST Commission in Section 1, Title III-11, Item 9, funds are earmarked for payment to eligible units of local government which have required all police officers to complete during calendar year 2007 an in-service training course appropriate to each officer's rank and responsibility commensurate with the size and location of his department of at least forty (40) hours duration at a school certified or recognized by the Peace Officer Standards and Training Commission. The funds appropriated by this item shall be disbursed in accordance with the provisions of Tennessee Code Annotated, Title 38, Chapter 8, Part 1, and no recipient shall be eligible to receive a supplement of more than six hundred dollars (\$600.00).

Item 14. From the appropriation in Section 1, Title III-27, for the Emergency and Contingency Fund, there is hereby appropriated an

amount not to exceed three hundred nineteen thousand three hundred dollars (\$319,300.00) for the following purposes: (1) forest fire control in the Division of Forestry, (2) payment of indemnities for destruction of livestock and extraordinary veterinary payrolls for cattle market fluctuations by the Department of Agriculture, (3) payment of extraordinary expenditures for insect and pest control efforts by the Department of Agriculture, and (4) the cost of personnel and equipment needed to restore law and order in instances arising out of civil disorders.

Item 15. The appropriation to the Department of Correction, Sex Offender Treatment Program in Section 1, Title III-7, is made pursuant to Tennessee Code Annotated, Section 39-13-709.

Item 16. In the fiscal year ending June 30, 2008, it is the legislative intent that the sum of two million dollars (\$2,000,000) be credited to the Health Access Incentive Account pursuant to Tennessee Code Annotated, Section 66-29-121, and that \$1,000,000 of the appropriation made in Section 4, Title III-16 of this act be funded from the program's reserve balance.

SECTION 8. In addition to the appropriations made in Section 1 of this act and subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51, there is hereby appropriated a sum sufficient:

Item 1. To pay all lawful claims due from the state to any of the several counties thereof on account of unpaid court costs, unpaid allotments of taxes distributable by the state to the counties and such other sums as may be due from the state to the counties, but none of such funds shall be distributed to the counties of the state until after the validity of the claims has been investigated and approved by the State Comptroller and the Governor. Provided, however, that such funds shall not include funds due to counties and cities for the state share of costs to cities and counties as required by Section 24, Article II, of the Constitution of Tennessee.

Item 2. To the Tennessee Code Commission for the following purposes: (1) to purchase pocket supplements for the state-owned sets of Tennessee Code Annotated; (2) to purchase replacement volumes for state-owned sets of Tennessee Code Annotated; (3) to purchase replacement sets of Tennessee Code Annotated; (4) to purchase sets of Tennessee Code Annotated for judges of new courts created during the 2007 Session of the General Assembly; (5) to purchase pocket supplements for the state-owned sets of the Index to the Private Acts of Tennessee; and (6) to pay for proofreading and other expenses involved in preparing supplements and replacement volumes for Tennessee Code Annotated.

Item 3. To pay the salaries and travel expenses of all persons appointed to sit as Special Judges, Special District Attorneys General

and/or Special Prosecutors under statutes relating to the state judicial system.

Item 4. To provide for indigent defendants counsel in capital cases.

Item 5. To pay fees of special counsel who may be employed by the Governor, on recommendation of the Attorney General, and to pay other expenses in special cases of litigation involving the state. In matters involving the Tennessee Regulatory Authority, Housing Development Agency, Wildlife Resources Agency, financial institutions, regulatory boards and other programs and agencies funded by earmarked or dedicated revenues, the sum sufficient appropriation shall be provided from said earmarked or dedicated revenues. In matters involving departments, agencies and/or programs funded in whole or in part with federal aid and/or departmental revenues and reserves, the sum sufficient appropriation may be provided in whole or in part from said revenues and reserves.

Item 6. To the Administrative Office of the Courts from revenues and reserves available to the following programs:

(a) "Divorcing Parent Education and Mediation Fund" and the "Marriage License Tax" pursuant to Tennessee Code Annotated, Section 36-6-413(b)(5).

(b) Tennessee Judicial Information System Fund pursuant to Tennessee Code Annotated, Section 16-3-807.

(c) Board of Professional Responsibility, Tennessee Lawyers Assistance Programs, Continuing Legal Education and Client Protection Fund.

(d) Municipal court judges and municipal court clerks training and continuing legal education pursuant to Tennessee Code Annotated, Section 16-18-304.

(e) Tennessee Judicial Information System Fund established in Tennessee Code Annotated, Section 16-3-807, to the Automated Court System Hardware Replacement Loan Fund established in Tennessee Code Annotated, Section 16-3-1001. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item 7. To the Attorney General and Reporter from the revenues and reserves available to the following programs:

(a) False Claims Act Fund established pursuant to Tennessee Code Annotated, Section 4-18-104(j). The Commissioner of Finance and Administration is authorized to adjust the appropriation made under Section 1, Title III-1, Item 1.1,



of this act to recognize any reimbursement for expenses already provided.

(b) Reserve for Attorney General Litigation Settlement. The Commissioner of Finance and Administration is authorized to establish positions as may be required.

Item 8. To provide for payment of administrative law judge services. The Commissioner of Finance and Administration is authorized to allocate the funds to the appropriate organizational units, adjust departmental revenues accordingly, and establish authorized positions.

Item 9. To the Comptroller of the Treasury from the Telecommunications Ad Valorem Tax Reduction Fund to provide for the administration of the program and payments from the fund as provided by law.

Item 10. To the Treasury Department, Small and Minority-Owned Business Assistance Program, from funds allocated to the program pursuant to Tennessee Code Annotated, Section 65-5-113.

Item 11. To the Tennessee Local Development Agency a sum sufficient from the Underground Storage Tank Fund for the purpose of paying debt service and expenses in connection with any debt issued pursuant to the provisions of Chapter 444, Public Acts of 1997, relative to underground storage tanks.

Item 12. To the Health Services and Development Agency a sum sufficient from reserves of the agency for the purpose of paying indirect costs allocated to the agency and to pay audit costs.

Item 13. To the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) from the TACIR reserves authorized by Tennessee Code Annotated, Section 4-10-107. The Commissioner of Finance and Administration is authorized to adjust departmental revenues accordingly, and establish authorized positions as needed.

Item 14. To the Office of Information Resources from the general obligation bonds/notes authorized under Chapter 850, Public Acts of 1994; and Chapter 952, Public Acts of 1996, for data processing services and telecommunications services; and from the general obligation bonds/notes authorized under Chapter 962, Public Acts of 2006, for the purpose of acquisition and implementation of enterprise resource planning software.

Item 15. To the Department of Finance and Administration to reimburse the federal government for arbitrage on the state's general obligation debt.

Item 16. To the Department of Finance and Administration from the litigation tax apportioned to fund grants to local governments to purchase and maintain electronic fingerprint imaging systems pursuant to Tennessee Code Annotated, Section 67-4-602.

Item 17. To the Department of Finance and Administration from the revenues apportioned to the Domestic Violence Community Education Fund pursuant to Tennessee Code Annotated, Section 36-3-616.

Item 18. To the Department of Finance and Administration to provide for payments to the State Office Buildings and Support Facilities Revolving Fund for spaces occupied by the Tennessee State Museum and for other areas within the Tennessee Performing Arts Center.

Item 19. To the Department of Finance and Administration from revenues and reserves available to the following programs:

(a) To provide funding for the additional sexual assault program services pursuant to Tennessee Code Annotated, Title 71, Chapter 6, Part 3. Any unexpended funds shall not revert to the general fund balance at June 30 and are hereby reappropriated in the subsequent fiscal year.

(b) To provide funding to establish drug courts pursuant to Tennessee Code Annotated, Title 16, Chapter 22, Part 1.

(c) To provide funding for family violence shelters and shelter services pursuant to Tennessee Code Annotated, Section 39-13-101. Any unexpended funds shall not revert to the general fund at June 30 and are hereby reappropriated in the subsequent fiscal year.

Item 20. To the Board of Probation and Parole from the reserves for parole and probation supervision and rehabilitation fees pursuant to Tennessee Code Annotated, Section 40-28-203(c).

Item 21. To the Department of Agriculture from revenues and reserves available to the following programs:

(a) Agricultural Resources Conservation Fund pursuant to Tennessee Code Annotated, Section 67-4-409(l).

(b) Agricultural Regulatory Fund pursuant to Tennessee Code Annotated, Title 43, Chapter 1, Part 7.

(c) Certified Cotton Growers' Organization Fund pursuant to Tennessee Code Annotated, Title 43, Chapter 6, Part 4.

(d) Tennessee Grain Indemnity Fund pursuant to Tennessee Code Annotated, Title 43, Chapter 32, Part 2.

(e) Market Development, Agricultural Development Fund pursuant to Tennessee Code Annotated, Section 55-4-267.

(f) Division of Forestry, from the proceeds of revenue allocated pursuant to Tennessee Code Annotated, Section 11-14-305(b)(3), pertaining to the sale and replacement of real property.

Item 22. To the Department of Environment and Conservation from revenues and reserves available to the following programs:

(a) Local Park Land Acquisition Fund, State Lands Acquisition Fund, and State Lands Compensation Fund pursuant to Tennessee Code Annotated, Sections 67-4-409(i) and 67-4-409(j).

(b) Heritage Conservation Trust Fund pursuant to Tennessee Code Annotated, Section 11-7-103.

(c) State parks program from revenues derived from nonprofit support groups pursuant to Tennessee Code Annotated, Title 11, Chapter 3, Part 2.

(d) State Park Fund pursuant to Tennessee Code Annotated, Title 11, Chapter 3, Part 3.

(e) From revenues derived from the sale of Tennessee Elk River Development Authority lands. This appropriation is subject to approval by the Commissioner of Finance and Administration.

(f) Environmental Protection Fund pursuant to Tennessee Code Annotated, Title 68, Chapter 203, Part 1. Departmental revenues shall be adjusted accordingly.

(g) Radiation Reclamation Trust Fund and the Perpetual Care Trust Fund pursuant to Tennessee Code Annotated, Section 68-202-405.

(h) Solid Waste Management Fund pursuant to Tennessee Code Annotated, Title 68, Chapter 211, Part 8.

(i) Used Oil Collection Fund pursuant to Tennessee Code Annotated, Section 68-211-1004.

(j) Hazardous Waste Remedial Action Fund pursuant to Tennessee Code Annotated, Title 68, Chapter 212, Part 2.

(k) Petroleum Underground Storage Tank Fund pursuant to Tennessee Code Annotated, Title 68, Chapter 215, Part 1.

(l) Drycleaner Environmental Response Fund pursuant to Tennessee Code Annotated, Title 68, Chapter 217, Part 1.

(m) Solid Waste Assistance Fund pursuant to Tennessee Code Annotated, Title 67, Chapter 4, Part 16.

Item 23. To the Wildlife Resources Agency from revenues available to the Wetlands Acquisition Fund and the Wetlands Compensation Fund pursuant to Tennessee Code Annotated, Section 67-4-409(g).

Item 24. To the Wildlife Resources Agency from the general fund for any difference between the actual charges to the agency under the indirect cost allocation plan and the amount the TWRA can justify and continue to receive federal funds.

Item 25. To the Wildlife Resources Agency from its own revenues to implement the programs, activities and projects approved by the Wildlife Resources Agency Commission. The Commissioner of Finance and Administration is authorized to adjust departmental revenue accordingly and to establish positions as may be required.

Item 26. To the Department of Correction, Sex Offender Treatment Program from registration fees pursuant to Tennessee Code Annotated, Section 40-39-201.

Item 27. To the Department of Commerce and Insurance, Division of Regulatory Boards, from revenues and reserves available for the following purposes:

(a) To purchase examinations for regulatory boards. This appropriation is contingent upon the fees collected for giving examinations being in excess of the budgeted estimates.

(b) To fund data processing systems development and implementation. Said appropriations are made pursuant to Tennessee Code Annotated, Section 4-3-1011.

(c) To the Real Estate Education and Recovery Fund, to provide for court-ordered payments and to print and distribute to all licensees a manual of laws and rules and regulations.

(d) To the Auctioneer Education and Recovery Fund, to provide for court-ordered payments.

Item 28. To the Department of Commerce and Insurance, 911 Emergency Communications Fund, from the revenues collected pursuant to Tennessee Code Annotated, Title 7, Chapter 86.

Item 29. To the Department of Military to provide for the cost of personnel and equipment needed to maintain law and order in instances arising out of civil disorders.

Item 30. To the Department of Military, Disaster Relief Grants, for the purpose of matching federal funds and to the Department of Military to pay the administrative costs of the Disaster Relief Program. Said appropriations shall be made first from the Reserve for Disaster Relief and they are in addition to the appropriation made in Section 1, Title III-22, of this act. Federal aid and other departmental revenue may be adjusted accordingly.

Any unexpended funds remaining in the Reserve for Disaster Relief or from the appropriation made in Section 1, Title III-22, Item 6, of this act, other acts of this General Assembly or acts by previous General Assemblies shall not revert to the general fund balance at June 30. Said funds are hereby reappropriated in the subsequent fiscal year. The provisions of this item shall take effect upon becoming law, the public welfare requiring it.

Item 31. To the Department of Health from revenues and reserves available to the following programs:

(a) Nursing Home Resident Protection Trust Fund pursuant to Tennessee Code Annotated, Section 68-11-827.

(b) Health Access Act of 1989, pursuant to Tennessee Code Annotated, Sections 66-29-121 and 66-29-151.

(c) Child Safety Fund pursuant to Tennessee Code Annotated, Section 55-9-602(f)(7).

(d) Alcohol and Drug Addiction Treatment Fund pursuant to Tennessee Code Annotated, Section 40-33-211(c)(2).

(e) Medicaid Nursing Home Trust Fund pursuant to Federal Regulations Chapter 42, Section 488.442.

(f) Traumatic Brain Injury Fund to allow for the provision of enhanced and/or new services which benefit traumatic brain injury persons and their families as authorized in Tennessee Code Annotated, Title 68, Chapter 55. Any additional appropriations provided under this item are non-recurring from carry-forward funds which exist in the Traumatic Brain Injury Fund and are subject to approval of the Commissioner of Finance and Administration.

(g) Health Related Boards, for data processing systems development and implementation. Said appropriations are made pursuant to Tennessee Code Annotated, Section 4-3-1011.

Item 32. To the Department of Human Services for administration of the Child Care Facilities Loan Guarantee Program. Said appropriation

shall come from interest earnings allocated to the program pursuant to Tennessee Code Annotated, Section 4-37-110.

Item 33. To the Department of Revenue to pay interest, attorney fees and other costs which are due with certain taxpayer refund payments.

Item 34. To the Department of Revenue from the C.I.D. Anti-Theft reserve fund pursuant to Tennessee Code Annotated, Section 55-3-208.

Item 35. To the Tennessee Bureau of Investigation from revenues and reserves available to the following programs:

(a) For the purpose of maintaining the expunged criminal offender and pretrial diversion database and other systems pursuant to Tennessee Code Annotated, Section 40-32-101(d)(2).

(b) TBI Toxicology Unit Intoxicant Testing Fund pursuant to Tennessee Code Annotated, Section 55-10-419.

Item 36. To the Department of Safety from revenues and reserves available to the following programs:

(a) Motorcycle Rider Safety reserve fund pursuant to Tennessee Code Annotated, Section 55-51-104.

(b) Driver Education reserve fund pursuant to Tennessee Code Annotated, Section 67-4-606(2)(B).

Item 37. To the Department of Transportation for payments to the Claims Award Fund. Said appropriation shall be made from the highway fund balance.

Item 38. To the Department of Transportation, Division of Air, Water and Rail, from the Transportation Equity Fund. This appropriation is subject to the availability of revenue in the fund.

Item 39. To meet obligations of the program created in Tennessee Code Annotated, Title 49, Chapter 7, Part 8.

SECTION 9. In addition to the appropriations made in Section 4 of this act and subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51, there is hereby appropriated a sum sufficient:

Item 1. To the Attorney General and Reporter, if the appropriation made in Section 4, Title III-1, Item 1.1, shall prove inadequate to allow the Attorney General and Reporter to represent the state agencies and officials before the Claims Commission, or state agencies and officials in other cases of litigation or other legal matters. The Commissioner of Finance and Administration, upon the request of the Attorney General

and Reporter, is hereby authorized to increase the departmental revenue estimate by an amount sufficient to provide for such representation and to establish positions as may be required.

Item 2. To the Attorney General and Reporter a sum sufficient from the Claims Award Fund for the purposes of implementing the provisions of Tennessee Code Annotated, Title 8, Chapter 42, relative to legal representation for state employees. The Commissioner of Finance and Administration, upon the request of the Attorney General and Reporter, is authorized to establish positions as may be required to implement the provisions of Tennessee Code Annotated, Title 8, Chapter 42.

Item 3. To the Registry of Election Finance from fees collected by the agency.

Item 4. To the State Treasurer, with the concurrence of the Speaker of the Senate and the Speaker of the House of Representatives, for the purpose of developing and implementing programs designed to enhance investment performance, including programs designed to recruit, hire, and retain qualified investment staff. The State Treasurer, with approval from the Commissioner of Finance and Administration, is further authorized to establish additional positions and funding for such positions needed to effectuate the purposes of this section.

Item 5. To the State Treasurer for payment of Unclaimed Property - Claims.

Item 6. To the State Treasurer from the revolving account created pursuant to Tennessee Code Annotated, Section 9-4-603(g). This appropriation shall take effect upon becoming law, the public welfare requiring it.

Item 7. To the Office of the District Public Defenders Conference pursuant to Tennessee Code Annotated, Section 40-14-210. Additional positions as required are authorized to be established.

Item 8. From federal funds available to the Tennessee Housing Development Agency, there is hereby appropriated a sum sufficient to meet obligations incurred by the agency, pursuant to the federal Section 8 program.

Item 9. To Tennessee Rehabilitative Initiative in Correction Board (TRICOR), in an amount equal to the balance in the revolving fund, for benefit of the program.

Item 10. To the Tennessee State Museum from (a) deferred revenue and departmental revenues available to the museum to be used for the purchase of artifacts, and (b) donations made to the State Museum. Any unexpended revenues shall not revert to the general fund

balance at June 30 and such revenues shall be carried forward in a reserve at June 30 and are hereby reappropriated in the subsequent fiscal year.

Item 11. From the fund created in Tennessee Code Annotated, Section 65-5-113, to the Commissioner of Finance and Administration for purposes of conducting a purchasing disparity study.

Item 12. To the Department of General Services for equipment and supplies ordered but not delivered at June 30, 2007.

Item 13. To the Department of General Services, Property Utilization, from available revenues and reserves.

Item 14. To the Department of Tourist Development from revenues received from communities, businesses, non-state organizations, federal funds, and other sources of departmental revenue to be used for marketing programs of the department. Any unexpended balances at June 30 shall be carried forward in a reserve and are hereby reappropriated in the subsequent fiscal year.

Item 15. To the Department of Environment and Conservation, West Tennessee River Basin Authority, from funds provided by the counties within the authority area.

Item 16. To the Department of Economic and Community Development to meet community development block grant expenditure requirements. This appropriation shall be from federal aid funds.

Item 17. To the Department of Economic and Community Development from moneys received from conferences, trade missions, trade shows and other activities which reimburse the state for expenses.

Item 18. To the Department of Economic and Community Development from interest earnings allocated to the a) FastTrack Program, b) Job Skills Fund, and c) Small Cities Community Development Block Grant (CDBG).

Item 19. To the Department of Economic and Community Development, Small Business Energy Loan Program and Local Government Energy Loan Program.

Item 20. To the Tennessee Film, Entertainment and Music Commission from departmental revenues received by the Commission. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item 21. To the Tennessee Industrial Finance Corporation from any revenues available to the organization to be expended pursuant to Tennessee Code Annotated, Section 4-17-404.



Item 22. To the Department of Mental Health and Developmental Disabilities from revenue received from behavioral health organizations and other non-state organizations for inpatient mental health services provided for publicly funded or potentially publicly funded persons.

Item 23. To the Department of Commerce and Insurance, Division of Fire Prevention, for payment of electrical inspections. This appropriation is contingent upon the fees collected for making electrical inspections being in excess of the budgeted estimate.

Item 24. To the Department of Labor and Workforce Development from federal aid funds and other departmental revenues. Subject to this appropriation, authorized positions may be increased up to one hundred (100) positions.

Item 25. To the Department of Military, TEMA and Disaster Relief Grants, from federal aid disaster relief funds.

Item 26. To the Office of Homeland Security from federal grant funds and to other agencies of state government receiving homeland security federal grant funds.

Item 27. To the Department of Safety, the Department of Revenue, the Tennessee Bureau of Investigation, the Tennessee National Guard and the Alcoholic Beverage Commission from the proceeds of property seized and forfeited under federal procedures which are shared with the departments or the commission.

Item 28. To the Department of Transportation from local government funds, federal aid and other departmental revenues.

SECTION 10. The appropriations made by this act under Sections 1 and 4 shall be subject to the following provisions, limitations, or restrictions:

Item 1. Notwithstanding any provision of the law to the contrary, any institution which receives state funds appropriated by the provisions of this act shall be subject to audit by the Comptroller of the Treasury as to the expenditure and obligation of such funds.

Item 2. Any personal services, professional services or consultant services contracts concerning management services of all types, management studies, planning services, public relations, evaluations, systems designs, data processing, auditing or accounting services entered into by an executive department or agency of state government shall be executed by the head of such department or agency and shall be subject to approval by the Commissioner of Finance and Administration and the Comptroller of the Treasury. No funds appropriated under this act to a department or agency shall be used for such contracts unless such approval is received or is otherwise authorized by the approving officials. Any such contract entered into by agencies of the legislative or

judicial branches shall be subject to the approval of the Comptroller of the Treasury.

Item 3. No funds appropriated by this act shall be obligated and/or expended for any newsletter, periodical, or other material which is to be distributed to all, or substantially all, state employees (excluding higher education) until the agency head proposing to make such distribution contacts the two Speakers and makes available equal space for legislative information in such newsletter, periodical, or other material. This item shall not apply to policy and/or procedural directives.

Item 4. From the funds appropriated to the TennCare program, the state shall comply with applicable federal law.

Item 5. During fiscal year 2007-2008 it is the legislative intent to encourage that all conferences, workshops, meetings, seminars, programs, and similar endeavors conducted for officials and/or employees of the legislative, executive, or judicial branch of state government be conducted in state facilities whenever practicable.

Item 6. From the appropriation for travel expenses of Justices of the Supreme Court and for the members of the Court of Appeals and the Court of Criminal Appeals, each member of said Courts shall be reimbursed for necessary traveling expenses incurred by them during their absence from the counties of their residence on official business; provided, however, that such travel expenses shall be limited to board and lodging and mileage each way necessary to travel on official business. Any judge seeking reimbursement for official expense under this section shall file with the Director of the Administrative Office of the Courts, or other official upon whom this duty may be lodged by law, a statement of such amounts necessarily expended by him in the discharge of such official duties and upon receipt of this verified statement, warrant for reimbursement for such expenses shall be issued.

Item 7. The Supreme Court shall fix the salaries of the marshals for the Eastern, Middle, and Western Divisions, which salary shall be payable out of the appropriations for Appellate Court Clerks.

Item 8. The commission in charge of the Supreme Court Building in Nashville, established by Tennessee Code Annotated, Section 16-3-701, is authorized to employ an experienced Engineer-Superintendent to supervise the air-conditioning and heating of the Supreme Court Building at Nashville and to employ the necessary assistants to keep and maintain the building. Payment for said services shall be paid out of the appropriations made by this act.

Light, heat and water for the Supreme Court Building in Nashville and for the Supreme Court Building in Knoxville is to be provided by the Department of General Services out of the appropriation herein made for it.

Item 9. Employees of the office of the Executive Secretary to the District Public Defender's Conference, District Public Defenders and employees of a District Public Defender's Office, as created pursuant to Tennessee Code Annotated, Title 8, Chapter 14, shall only travel and shall be reimbursed for travel expenses in accordance with the provisions of the comprehensive travel regulations promulgated by the Department of Finance and Administration and approved by the Attorney General.

Item 10. The appropriation made in Section 1, Title III-1, Item 5.9 for the Tax Relief Program, is made for the purpose of providing tax relief for elderly low-income homeowners, disabled homeowners, and disabled veteran homeowners, as provided by law. The income eligibility limit for elderly low-income homeowners and for homeowners totally and permanently disabled shall be adjusted for the fiscal year 2007-2008 under the provisions of Tennessee Code Annotated, Sections 67-5-702 and 67-5-703.

Item 11. Notwithstanding any provision of the law to the contrary, from the appropriations made for the Department of the Treasury, there is hereby appropriated funds sufficient to defray the cost of administering, on behalf of state employees compensated on the centralized state payroll system, Tennessee Code Annotated, Title 8, Chapter 25, Part 1, the same being the "Government Employees' Deferred Compensation Plan Act", and Tennessee Code Annotated, Title 8, Chapter 25, Part 3, the same being the "Profit Sharing or Salary Reduction Plans for State Employees", and Tennessee Code Annotated, Section 8-25-501, the same being a "Cafeteria Benefits Plan" for state employees.

Item 12. Subject to the concurrence of the Commissioner of Finance and Administration, the Commissioner of Personnel is authorized to develop and implement a system whereby the cost of the Civil Service Commission and of services rendered to the Department of Personnel by the Administrative Procedures Division of the Department of State is recovered from those departments, boards and commissions to whom services are rendered.

Item 13. The funds appropriated in Section 4, Title III-3, to Forestry Operations, shall include the proceeds from timber sales conducted by the Department of Agriculture. It is the legislative intent that said proceeds shall be accounted for as departmental revenue.

Item 14. From the appropriation made for the Department of Tourist Development, there is hereby appropriated a sum not to exceed twelve thousand five hundred dollars (\$12,500.00), sufficient to defray the cost of advertising and other expenses in connection with special events in which Tennessee is represented and/or events within the state for which Tennessee will act as official host. Any allotment of funds made under the authority of this section shall be made only on the approval of the Commissioner of Finance and Administration.

Item 15. From the appropriations made in this act, there shall be paid expenses incurred by the Department of Economic and Community Development and the Department of Tourist Development, representing the state in its official capacity; provided, however, that nothing herein shall authorize the expenditure by each agency for such purposes in excess of five thousand dollars (\$5,000.00) per annum. The amount and purposes of such expenses are subject to approval by the Commissioner of Finance and Administration.

Item 16. From the appropriations made to State Prosecutions in Section 1, Title III-7, payments to reimburse counties for housing state prisoners shall not exceed \$35.00 per inmate per day. Provided, however, the \$35.00 per inmate per day limitation on reimbursement payments shall be inapplicable to the extent the state is obligated by the specific terms of a written contract to provide reimbursement at a rate in excess of \$35.00 per inmate per day, but only to the extent of that contractual obligation.

Item 17. Notwithstanding any provision of the law to the contrary, where a judicial proceeding is transferred from one jurisdiction to another for trial on a defendant's motion for change of venue, the limitation of five hundred dollars (\$500.00) for the board and lodging of the jury shall not apply, provided the Comptroller of the Treasury on the advice of the State Attorney General, determines that additional funds for boarding and lodging the jury are necessary.

Item 18. The Department of Mental Health and Developmental Disabilities is authorized to expend up to one hundred fifty thousand dollars (\$150,000) in available funds for the purpose of implementing the provisions of Tennessee Code Annotated, Section 12-4-330, and such funds are specifically appropriated for that purpose.

Item 19. Within the amount appropriated in Section 1, Title III-17, and in Section 4, Title III-17, for Temporary Assistance to Needy Families, the Commissioner of Human Services shall establish by rule or regulation, pursuant to the provisions of Tennessee Code Annotated, Section 71-3-155, to be effective July 1, 2007, the standard of need for each family size in the Families First program; provided, the maximum grant for each family size will remain at the Fiscal Year 2006-2007 established level; and, provided further, that the Commissioner of Human Services, in consultation with the Commissioner of Finance and Administration, may by rule to be effective on July 1, 2007, establish certain categories of Families First recipients to whom an additional grant differential for the family size up to a maximum of fifty dollars (\$50.00) per family may be paid.

Item 20. The appropriations to the Department of Revenue under Section 1, Title III-18, provide for all the activities of the department and include amounts in lieu of percentages allowed by law on collection of certain taxes and revenues; such percentage shall be covered into and made a part of the general fund. Appropriations also include amounts for

motor vehicle registration and any other activities which may be administered by the Department of Revenue and/or the Department of Safety.

Item 21. The appropriation to the Tennessee Association of Rescue Squads in Section 1, Title III-22, Item 9, is for the sole purpose of maintaining a state headquarters of the association and to pay the salary of an executive director of the association and other expenses appurtenant thereto.

Item 22. Notwithstanding any provision of the law to the contrary, the Department of Transportation shall not release or make available information which reveals the amount of funding available for any project.

Item 23. No funds appropriated by the provisions of this act for any specialty license plate shall be allocated by the Department of Finance and Administration to the Department of Revenue until such plate has met all statutory requirements for issuance.

Item 24. No funds appropriated by the provisions of this act to the Department of Economic and Community Development shall be used to contract for services, or to renew any contract for services, with any individual or entity if such individual or entity's position presents an actual or apparent conflict of interest between duties owed to the State of Tennessee under such contract and duties owed to any third party. It is the legislative intent that work performed under service contracts shall be performed in-house by the department to the extent possible.

Item 25. The General Assembly recognizes that demands on available state revenue are such that it may be necessary to establish priorities among state services and programs and to revise the methods of allocating state resources. Therefore, it is the legislative intent that local governments should consider in undertaking long-term obligations based on state payments, specifically state per diem payments for housing state inmates in local jails, that existing payments may be reduced or eliminated in the future and such not be regarded as the principal source of funding for debt repayment obligations.

Item 26.

(a) From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of implementing Chapter 36 of the Public Acts of 2007, Chapter 53 of the Public Acts of 2007, Chapter 109 of the Public Acts of 2007 and Chapter 119 of the Public Acts of 2007. It is the legislative intent that the memorial highway sign authorized by Chapter 53 of the Public Acts of 2007 be known as the "Lance Corporal Tyler Overstreet Memorial Bridge".

(b) From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole

purpose of implementing Senate Joint Resolution No. 100, Senate Joint Resolution No. 105 and House Joint Resolution No. 330, if such resolutions become law.

(c) From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of implementing the provisions of Section 2 of Senate Bill No. 1034/House Bill No. 1214, if such bill becomes law.

Item 27. From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill No. 1152/House Bill No. 1204, relative to tollways, if such bill becomes law.

Item 28. From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill No. 4/House Bill No. 3, relative to Rosa L. Parks Boulevard, if such bill becomes law.

Item 29. From the funds appropriated to the Secretary of State, there is earmarked a sum sufficient for the sole purpose of implementing House Joint Resolution No. 108, relative to a constitutional amendment concerning hunting and fishing, if such resolution becomes law.

Item 30. From the real estate education and recovery account, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill No. 1374/House Bill No. 452, relative to meetings of the Real Estate Commission, if such bill becomes law.

Item 31. From the funds appropriated for state employee salary compression, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill No. 437/House Bill No. 356, relative to salaries of teachers at the comprehensive rehabilitation and training center, if such bill becomes law.

Item 32. From the Criminal Injuries Compensation Fund, there is appropriated the sum of \$30,000 for the sole purpose of implementing Senate Bill No. 1568/House Bill No. 2225, relative to access to certain records, if such bill becomes law.

Item 33. From the Solid Waste Management Fund, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill No. 1779/House Bill No. 1345, relative to solid waste disposal planning, if such bill becomes law.

Item 34. From the Alcohol and Drug Addiction Treatment (ADAT) Fund established by § 40-33-211(c)(2), there is appropriated the sum of \$1,823,200 for the sole purpose of implementing Senate Bill No. 792/House Bill No. 458, relative to alcohol and drug assessment and treatment, if such bill becomes law.

Item 35. Funds appropriated to the Department of Education for statewide classroom Internet connectivity shall be distributed to LEAs not participating in the statewide contract on a pro rata share basis. Funds distributed pursuant to this item to LEAs not participating in the statewide contract shall only be used for classroom Internet connectivity and/or technology access.

Item 36. From the Risk Management Fund, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill No. 1474/House Bill No. 1518, relative to workers' compensation, if such bill becomes law.

Item 37.

(a) From the Trauma Center Fund created by Senate Bill No. 1503/House Bill No. 1613, there is appropriated the sum of \$9,907,000 to the Department of Health for the sole purpose of making grants to trauma centers in accordance with the provisions of Senate Bill No. 1503/House Bill No. 1613, if such bill becomes law. The Commissioner of Finance and Administration is authorized to increase or decrease this appropriation as realized receipts of the Trauma Center Fund justify.

(b)(1) In addition to the appropriations elsewhere in this act, if Senate Bill No. 1503/House Bill No. 1613 does not become law, there is appropriated to the Department of Health from the general fund an amount equivalent to revenues collected from the additional one-tenth of one cent (0.1 cent) tax rate increase on cigarettes levied by Senate Bill No. 2326/House Bill No. 2354, if the latter bill becomes law, for the purpose of making grants or payments to level I, II, and III trauma centers licensed by the Department of Health pursuant to Tennessee Code Annotated, Title 68, Chapter 11, Part 2, and Rule 1200-8-12.03 of the Tennessee Rules and Regulations; comprehensive regional pediatric centers, defined as pediatric in-patient hospitals licensed by the department pursuant to Tennessee Code Annotated, Title 68, Chapter 11, Part 2, and Rule 1200-8-30.01(4) of the Tennessee Rules and Regulations; and other acute care hospitals which provide levels of treatment for trauma patients that are at least as great as the lowest level provided by one of the designated trauma centers.

(2) From the appropriation in this item, an amount not to exceed \$88,400 may be used for administrative expenses of the department and two positions are authorized. At June 30, 2008, the unexpended balance of the appropriation in this item shall be carried forward in a reserve to be available in the succeeding fiscal year for the purpose of this item.

(3) The trauma system grants made from the funds appropriated in this item shall be awarded by the Commissioner of Health based on the following principles: (A) Designated trauma centers of all levels and comprehensive regional pediatric centers shall receive a grant or payment based upon the documented costs associated with maintaining required standards for designation; (B) uncompensated care costs associated with trauma patients and the trauma service codes shall be the basis for payments to such trauma centers, comprehensive regional pediatric centers, and other acute care hospitals functioning as part of the trauma system; (C) payments related to uncompensated care costs shall be made on a proportional basis related to actual patient volume and losses incurred; (D) the readiness costs associated with a documented risk of achieving or losing designation as a designated trauma center of any level may be considered if determined to be appropriate by the commissioner; and (E) the total of all grants and payments shall not exceed the revenues appropriated in paragraph one of this item, and the commissioner is authorized to prorate all grants or payments as necessary to comply with this condition.

(4) For purposes of this item, "trauma patient" means a patient who is on the State Trauma Registry or the National Trauma Registry of the American College of Surgeons; "trauma service codes" means the ICDA-9-CM discharge codes designated as trauma service codes by the American College of Surgeons, Committee on Trauma; "uncompensated care" means care provided by a facility specified in this item to a trauma patient who has no medical insurance, including federal Medicare Part B coverage; is not eligible for medical assistance coverage; has no medical coverage for trauma through workers' compensation, automobile insurance, or any other third party, including any settlement or judgment resulting from such coverage; and has not paid for the trauma care provided by the trauma provider after documented attempts by the trauma care services provider to collect payment.

SECTION 11. The appropriations made by this act under Sections 1 and 4 to the Department of Education shall be subject to the following provisions, limitations, or restrictions:

Item 1. The appropriation made in Section 1, Title III-9, Item 2.1c, for the Basic Education Program (BEP), shall be administered pursuant to the provisions of the Education Improvement Act (Public Chapter No. 535 of the Public Acts of 1992) and Senate Bill No. 2177/House Bill No. 2293. The BEP formula shall be calculated for the fiscal year using the following



criteria; and it hereby is recognized that the appropriation in Section 1, Title III-9, Item 2.1c, includes \$290,100,000 recurring and \$5,385,000 non-recurring for phasing in the BEP changes pursuant to the cited bill:

(a) The state shall provide seventy percent (70%) of the funds generated for the instructional positions component;

(b) The dollar value of the BEP instructional positions component shall be thirty-eight thousand dollars (\$38,000);

(c) The formula shall provide one hundred percent (100%) funding for at-risk students in grades K-12;

(d) The formula shall provide funding for English language learners at a ratio of one to thirty (1:30) and one to three hundred (1:300) for teachers to students and translators to students, respectively;

(e) Each local education agency (LEA) shall receive no less than a twenty-five percent (25%) state share in the non-classroom components;

(f) The cost differential factor shall be applied at a level of fifty percent (50%); and

(g) Local fiscal capacity shall be calculated by applying a weight of fifty percent (50%) of the current multiple regression analysis model and fifty percent (50%) of the model based on local jurisdictions' ability to raise revenue for education from local option sales tax and property tax as provided in Senate Bill No. 2177/House Bill No. 2293.

Item 2. From the appropriations made to the Department of Education under Section 1, Title III-9, of this act, the Department of Education is authorized to pay through disbursements to local education agencies (LEAs), for the benefit of eligible local education employees and their dependents, an amount not to exceed forty-five percent (45%) of the total statewide cost, based on the Basic Education Program (BEP) formula, of such persons' participation in the basic accident and medical expense insurance plan authorized by Tennessee Code Annotated, Title 8, Chapter 27, Part 3.

The Local Education Insurance Committee shall determine a calendar year 2008 plan of benefits and monthly premiums for each of the healthcare options offered through the "basic plan" it authorizes pursuant to Section 8-27-302, Tennessee Code Annotated, which results, with reasonable certainty, in the provision of sufficient revenues to pay plan expenses and to provide for the funding of reserves for estimated incurred but unreported claims. The aggregate amount of funds obligated through the determination of the plans of benefits and the monthly premiums by the Local Education Insurance Committee shall not exceed the amount appropriated to the Department of Education, Basic

Education Program's insurance component in this act. The monthly premiums shall be subject to the approval of the Commissioner of Finance and Administration pursuant to Section 4-3-1006, Tennessee Code Annotated.

Item 3. From the appropriation made to the Department of Education under Section 1, Title III-9, of this act, for technology programs, there is hereby earmarked a sum sufficient for the expenditures of the Web Project.

Item 4. From the appropriation made in Section 1, Title III-9, Item 2.1(c) BEP and Other LEA Support, it is the legislative intent to provide additional BEP funding for student enrollment growth on a current year student basis pursuant to Tennessee Code Annotated, Section 49-3-351(d).

Item 5. Under the provisions of Tennessee Code Annotated, Sections 49-3-357 and 49-3-358, pertaining to interest accruing on investments and deposits to the Education Trust Fund and the Basic Education Program, it is the legislative intent that only interest earnings be recognized and that no interest expense be charged to the fund and the program.

Item 6. The Department of Education shall submit to the Office of Legislative Budget Analysis the revised BEP funding formula for the ensuing fiscal year no later than January 1 of each year.

Item 7. Local education agencies are required to report average daily membership (ADM) to the Department of Education on a scheduled basis. To the extent a local education agency fails to report accurate and timely ADM information to the department, the BEP payments for the subsequent fiscal year shall be based on the second prior year ADM figure, unless the late-reported ADM figures are lower than the second prior year.

## SECTION 12.

Item 1. There is hereby appropriated the sum of three million dollars (\$3,000,000.00) to the Department of Human Services, which sum shall be in addition to all other appropriations made to the Department of Human Services and which sum shall be used for the sole purpose of increasing the amount available to social service contractors, as provided for in Tennessee Code Annotated, Title 71, Chapter 1, Part 2.

Item 2. It is the intent of the General Assembly that the Commissioner of Finance and Administration shall have the authority to promulgate, as public necessity rules pursuant to Tennessee Code Annotated, Section 4-5-209, those rules and regulations which concern the Medicaid/TennCare program and which require promulgation in order for the state to fiscally function (i) within the appropriations provided for

the Medicaid/TennCare program or (ii) within the availability of revenues received for the Medicaid/TennCare program.

Item 3. There is appropriated to the State Treasurer the sum of one hundred thousand dollars (\$100,000) from the Criminal Injuries Compensation Fund for the purpose of granting the same to the organization created by Tennessee Code Annotated, Section 29-13-116. Notwithstanding any provision of this act to the contrary, a grant to a non-governmental agency or entity shall not be disbursed until the recipient has filed with the head of the agency through which such disbursement is being made, a plan specifying the proposed use of such funds and the benefits anticipated to be derived therefrom. As a prerequisite to the receipt of the grant, the recipient shall agree to provide to the agency head, within ninety (90) days of the close of the fiscal year within which such grant was received, an accounting of the actual expenditure of such funds including a notarized statement that the report is true and correct in all material respects; provided, however, that the head of the agency through which such disbursement is being made may require, in lieu of accounting as provided above, an audited financial statement of the non-governmental agency or entity. A copy of such accounting or audit, as the case may be, shall be filed with the office of the Comptroller of the Treasury.

Item 4. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to the Department of Finance and Administration for distribution to the appropriate entities a sum sufficient to fund any bill on which the fiscal note indicates that the cost of implementation of the bill is minimal or not significant. It is the legislative intent that if funding is earmarked for implementation in such bills that the funds appropriated in this item be reduced accordingly. It is the legislative intent to recognize a revenue loss from bills that result in no expenditure increase but forego revenue which has not been collected previously.

Item 5. In addition to any other funds appropriated by the provisions of this act, if the fiscal note on any bill states that state revenues would be increased in an amount equal to or greater than state expenditures as a result of the enactment of such bill, then there is appropriated a sum sufficient from such increased revenue to the appropriate entity, as determined by the Commissioner of Finance and Administration, to implement such bill.

Item 6. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 to the Tennessee Wildlife Resources Agency for the sole purpose of planning for a statewide fishing trail.

Item 7. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Department of Finance and Administration for distribution to the appropriate entities for the sole purpose of implementing Senate Bill No.

2040/House Bill No. 1892, Senate Bill No. 230/House Bill No. 252, Senate Bill No. 109/House Bill No. 723, Senate Bill No. 1069/House Bill No. 1011, Senate Bill No. 1719/House Bill No. 2084, Senate Bill No. 140/House Bill No. 107, Senate Bill No. 1740/House Bill No. 1826, Senate Bill No. 869/House Bill No. 290, Senate Bill No. 2003/House Bill No. 1797, Senate Bill No. 741/House Bill No. 1378, Senate Bill No. 1302/House Bill No. 950, Senate Bill No. 2157/House Bill No. 2125, Senate Bill No. 488/House Bill No. 405, Senate Bill No. 139/House Bill No. 106, Senate Bill No. 1028/House Bill No. 1207, Senate Bill No. 472/House Bill No. 299, Senate Bill No. 1164/House Bill No. 237, Senate Bill No. 1265/House Bill No. 1877, Senate Bill No. 136/House Bill No. 255, Senate Bill No. 10/House Bill No. 219, Senate Bill No. 429/House Bill No. 1525, Senate Bill No. 99/House Bill No. 886, Senate Bill No. 327/House Bill No. 815, Senate Bill No. 487/House Bill No. 953, Senate Bill No. 1167/House Bill No. 935, Senate Bill No. 3/House Bill No. 2, Senate Bill No. 1910/House Bill No. 1950, Senate Bill No. 2061/House Bill No. 1473, Senate Bill No. 1050/House Bill No. 1629, Senate Bill No. 172/House Bill No. 35, Senate Bill No. 751/House Bill No. 1355, Senate Bill No. 2063/House Bill No. 1466, Senate Bill No. 66/House Bill No. 14, Senate Bill No. 791/House Bill No. 1521, Senate Bill No. 340/House Bill No. 134, Senate Bill No. 1911/House Bill No. 2162, Senate Bill No. 637/House Bill No. 422, Senate Bill No. 1207/House Bill No. 898, Senate Bill No. 826/House Bill No. 1971, Senate Bill No. 762/House Bill No. 1781, Senate Bill No. 1662/House Bill No. 1186, Senate Bill No. 1476/House Bill No. 1532, Senate Bill No. 1790/House Bill No. 1614, Senate Bill No. 2/House Bill No. 1033, Senate Bill No. 1052/House Bill No. 1935, Senate Bill No. 576/House Bill No. 1216, Senate Bill No. 771/House Bill No. 71, Senate Bill No. 274/House Bill No. 139, Senate Bill No. 1532/House Bill No. 1327, Senate Bill No. 192/House Bill No. 713, Senate Bill No. 789/House Bill No. 1502, Senate Bill No. 1243/House Bill No. 975, Senate Bill No. 2059/House Bill No. 2127, Senate Bill No. 1974/House Bill No. 2158, Senate Bill No. 2302/House Bill No. 2170, Senate Bill No. 2223/House Bill No. 2281, Senate Bill No. 568/House Bill No. 470, Senate Bill No. 28/House Bill No. 157, Senate Bill No. 1466/House Bill No. 1246, Senate Bill No. 1503/House Bill No. 1613, Senate Bill No. 1967/House Bill No. 1835, House Joint Resolution No. 200, House Joint Resolution No. 554, House Joint Resolution No. 329, House Joint Resolution No. 147, House Joint Resolution No. 461, House Joint Resolution No. 462, House Joint Resolution No. 562, House Joint Resolution No. 346, House Resolution No. 74, House Resolution No. 151, Senate Joint Resolution No. 161, Senate Joint Resolution No. 320 and Senate Joint Resolution No. 357, if such bills and resolutions become law. It is the legislative intent that if funding is earmarked for such implementation in such bills or resolutions that the funds appropriated in this item be reduced accordingly.

Item 8. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to implement all bills, having an estimated first year's cost of \$100,000 or less, which become law.

## Item 9.

(a) The Commissioner of Finance and Administration shall transfer from the general fund to the transportation fund a sum sufficient equal to the appropriations in this item.

(b) In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Department of Transportation for the sole purpose of implementing Chapter 47 of the Public Acts of 2007, Chapter 49 of the Public Acts of 2007, Chapter 127 of the Public Acts of 2007 and Chapter 193 of the Public Acts of 2007.

(c) In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Department of Transportation for the sole purpose of implementing Senate Joint Resolution No. 155, Senate Joint Resolution No. 569, House Joint Resolution No. 154, House Joint Resolution No. 208, House Joint Resolution No. 216, House Joint Resolution No. 243, House Joint Resolution No. 244, House Joint Resolution No. 381, House Joint Resolution No. 425, Senate Bill No. 78/House Bill No. 6, Senate Bill No. 83/House Bill No. 7, Senate Bill No. 225/House Bill No. 31, Senate Bill No. 77/House Bill No. 102, Senate Bill No. 76/House Bill No. 103, Senate Bill No. 467/House Bill No. 202, Senate Bill No. 700/House Bill No. 210, Senate Bill No. 279/House Bill No. 289, Senate Bill No. 408/House Bill No. 404, Senate Bill No. 1631/House Bill No. 557, Senate Bill No. 1632/House Bill No. 558, Senate Bill No. 847/House Bill No. 627, Senate Bill No. 54/House Bill No. 701, Senate Bill No. 1536/House Bill No. 844, Senate Bill No. 1742/House Bill No. 1035, Senate Bill No. 1226/House Bill No. 1930, Senate Bill No. 1469/House Bill No. 1969, Senate Bill No. 1470/House Bill No. 1970, Senate Bill No. 2275/House Bill No. 2208, Senate Bill No. 2274/House Bill No. 2209 and Senate Bill No. 2314/House Bill No. 2223, if such bills and resolutions become law.

(d) In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to implement the provisions of Section 1 of Senate Bill No. 1034/House Bill No. 1214, if such bill becomes law.

Item 10. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the following agencies sums certain to address compensation issues:

Office of the Attorney General and Reporter	\$279,000
Secretary of State	\$447,000
Comptroller of the Treasury	\$670,000
Administrative Office of the Courts	\$500,000

In addition, from departmental revenues, the treasury department is appropriated the sum of \$202,100 for addressing compensation issues.

Item 11. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$892,600 (recurring) to the General Assembly to address compensation and personnel issues to be allocated as follows:

House of Representatives	\$200,000
Senate	\$200,000
Other compensation issues	\$492,600

From the allocation made for compensation issues, a sum of \$27,600 may be allocated to the Fiscal Review Committee; provided that, prior to the allocation of such funds, the director of the Fiscal Review Committee shall file a compensation plan with the Speaker of the House of Representatives and the Speaker of the Senate and such plan shall be approved by such Speakers.

Item 12. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient for the sole purpose of increasing the employer matching contribution up to a maximum of fifty dollars (\$50.00) per month for each employee authorized to participate in the state employee 401(k) program pursuant to § 8-25-303.

Item 13.

(a) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$373,300 to the Comptroller of the Treasury for the sole purpose of one (1) additional staff position within the division of bond finance; three (3) additional audit positions within the Division of Municipal Audit; and one (1) additional administrative secretary position within the Division of State Assessed Properties.

(b) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$159,100 (of which amount \$154,100 is recurring) to the Fiscal Review Committee for the sole purpose of creating two (2) new fiscal analyst positions.

Item 14. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$577,000 (of which amount \$70,000 is recurring) to the Office of Legislative Administration for the sole purpose of implementation of stage one of a disaster recovery strategy. Such amount shall be utilized to purchase the following technologies as well as for annual software and hardware maintenance fees associated therewith:

(a) Virtualization software;

- (b) Back-up hardware and software;
- (c) Server hardware;
- (d) Additional storage for the storage area network; and
- (e) Notebook computers.

Item 15. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,500 to the Tennessee Historical Commission for the sole purpose of replacing a historical marker in Shelby County for Dr. Miles V. Link on the corner of McLemore and Mississippi.

Item 16. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (non-recurring) to the Department of Mental Health and Developmental Disabilities for the sole purpose of implementing a pilot program for integration of primary care and behavioral health services in Shelby County.

Item 17. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$25,000 to the Secretary of State for the sole purpose of studying convenience voting.

Item 18. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 to Grainger County for infrastructure improvements.

Item 19. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$25,000 to the Tennessee Historical Commission for the sole purpose of the continuation of the historical interpretation pilot project for interpretation of properties listed on the National Register of Historic Places in Henderson County.

Item 20. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of two hundred fifty thousand dollars (\$250,000) to the Commissioner of Finance and Administration for the purpose of making a grant to the Tennessee Sports Hall of Fame (Hall), a 501(c)(3) organization established pursuant to Tennessee Code Annotated, Title 4, Chapter 3, Part 54. Such grant shall be used to update and replace exhibits and for additions to the Hall's collection. Such grant shall be non-recurring, shall carry forward from year to year until fully disbursed, and shall be matched on a dollar for dollar basis by private donations which are over and above the level of private donations included in the budget adopted on February 15, 2007, it being the legislative intent to encourage additional development activities by the Hall.

Item 21. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$89,500,000 to the

Department of Finance and Administration for the purpose of funding authorized capital projects in lieu of issuing bonds for such purposes. The Department of Finance and Administration is authorized to adjust the appropriation in Section 1, Title III-31, for the amortization of authorized and unissued bonds accordingly.

Item 22. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$165,000 to the Department of Finance and Administration for the sole purpose of paying debt service on bonds to fund a grant to the Warren County utility district for costs related to waterline improvements.

Item 23. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the Ned McWherter Center for Rural Development for the sole purpose of services and programs.

Item 24. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$288,674 to the Department of Human Services for the sole purpose of making a grant in such amount to the United Way of the Mid-South, to be used exclusively as follows:

(a) \$162,000 of such amount for the purpose of making a grant to provide funding for expansion of the earned income tax credit initiative; and

(b) \$126,674 of such amount for expansion of HIV/AIDS prevention programs.

Item 25. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$125,000 to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Financial Literacy Program, to be used for matching funds to match a grant from First Tennessee Bank.

Item 26. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 to the Department of Health for the sole purpose of making a grant in such amount to Memphis Health Center, Inc., to be used for improving access to prenatal and obstetrical care in medically underserved areas plagued by high rates of infant mortality.

Item 27. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$950,866 (of which \$126,966 shall be non-recurring) to the Department of Veterans Affairs for the sole purpose of employment of nine (9) veteran benefit specialists, four (4) veteran claims specialists, one (1) secretary, one (1) administrative assistant, cemetery staffing and grounds workers, and the following operations: travel expenses, furniture and partitions for claims division, research materials and training supplies, cemetery building



maintenance, vehicle operations and repairs, and maintenance and upkeep of perpetual care grounds.

Item 28. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (recurring) to the Municipal Technical Advisory Service (MTAS) for services provided to municipal utilities.

Item 29. In addition to other funds appropriated by the provisions of this act, there is appropriated the sum of \$11,000,000 to the Board of Regents for the purpose of providing equipment for the Tennessee Technology Centers.

Item 30.

(a) In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to the Department of Education the sum of \$600,000 for the purpose of establishing the Office of Achievement Gap Elimination and creating seven (7) new full-time positions. It is the legislative intent that the office work with high priority schools in order to help close achievement gaps that may exist within subgroups such as students with disabilities, economically disadvantaged and other subgroups, as appropriate. The Office of Achievement Gap Elimination may be co-located with Field Services Center offices, as the Department may determine.

(b) In addition the appropriation made by sub-item (a), subject to the approval of the Commissioner of Finance and Administration, there is hereby appropriated a sum sufficient not to exceed \$2,250,000 for the purpose of establishing additional exemplary educators positions, and related expenses, as necessary to assist schools that are identified as high priority schools.

Item 31. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$65,000 to the Department of Commerce and Insurance to be allocated to volunteer fire departments to off-set the twenty percent (20%) fee increase charged to such departments for training provided through or by the State Fire Academy.

Item 32. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$400,000 to the Department of Environment and Conservation for the purpose of making a grant in such amount to the Tennessee Golf Foundation, to be used for First Tee program grants.

Item 33. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 to the Department of Health, Office of Minority Health, for the sole purpose of

planning and implementation of the annual health summit of minority communities.

Item 34. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$12,500 to the Department of Agriculture for the sole purpose of a Tennessee beef agribition in Murfreesboro.

Item 35. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$150,000 to the Commission on Aging and Disabilities for the sole purpose of making a grant in such amount to the Tennessee Association of Senior Volunteer Directors for program enhancement and expansion.

Item 36. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$58,334 to the administrative office of the courts for the sole purpose of funding a full-time child support referee for the 16th judicial district.

Item 37. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$58,334 to the administrative office of the courts, for the sole purpose of funding a full-time child support referee for the 19th judicial district.

Item 38. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$58,334 to the administrative office of the courts, for the sole purpose of funding a full-time child support referee for the 7th judicial district.

Item 39. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$150,000 to the Department of Health for the sole purpose of making a grant in such amount to the Shelby County general sessions criminal court, to be used for the Shelby County ADAT Program to reduce recidivism by DUI offenders.

Item 40. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$95,000 to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the National Institute for Law and Equity, to be used for programs concerning childhood maltreatment and pathways to delinquency.

Item 41. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$75,000 (recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to Ujima House Incorporated, to be used for a statewide pilot project to train existing domestic violence shelters and other interested parties on how to administer such shelters and perform intervention services to young males who are candidates for perpetrating abuse.

Item 42. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the International Rockabilly Hall of Fame, to be used for construction and equipment to encourage tourism.

Item 43. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 to the Secretary of State for the sole purpose of providing pre-planning fees (including architectural fees), related to development of the new Tennessee State Library and Archives Building at the Bicentennial Mall in Nashville.

Item 44. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 non-recurring to the Secretary of State for the sole purpose of acquiring radio frequency I.D. identifiers to safeguard and preserve documents housed at the Tennessee State Library and Archives.

Item 45. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 to the Department of Health for the sole purpose of making grants to statewide youth suicide prevention programs, to be used for programs and services.

Item 46. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 to the City of Lawrenceburg for the sole purpose of improvements to the Lawrenceburg Airport.

Item 47. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (recurring) to the Board of Probation and Parole for the sole purpose of making a grant in such amount to the Mid-Cumberland Human Resource Agency, to be used for the expansion of the community corrections pilot project in Rutherford County.

Item 48. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 to the Department of Education for the sole purpose of implementing a secondary education virtual school pilot project to provide curriculum for at-risk students as well as credit recovery, core, elective and advanced placement courses through a single point of entry.

Item 49.

(a) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$200,000 to the City of Henderson for the sole purpose of funding the Post Secondary Education Technology Center in Chester County.

(b) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$200,000 to Chester County for the sole purpose of funding the Post Secondary Education Technology Center in Chester County.

(c) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$200,000 to the Post Secondary Education Technology Center in Crockett County, for the sole purpose of providing programs and services.

Item 50. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$150,000 to the Tennessee Historical Commission for the sole purpose of increasing Wars Commission grants.

Item 51. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$25,000 (recurring) to the Tennessee Historical Commission for the sole purpose of funding Wars Commission operating expenses.

Item 52. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$356,800 (of which amount \$58,000 shall be non-recurring) to the Tennessee State Museum for the sole purpose of artifact acquisition; completion of the flag book project; and employment of three (3) curatorial assistants, one (1) curator of social history, and one (1) curator of natural history.

Item 53. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (recurring) to the House of Representatives for the purpose of expanding and enhancing statewide government access programming.

Item 54. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$200,000 to the State Board of Education for the sole purpose of facilitating program development in accordance with Senate Bill No. 620/House Bill No. 99, if such bill becomes law.

Item 55. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 to the Department of Finance and Administration for the sole purpose of making a grant in such amount to Big Brothers, Big Sisters, to be used for the Amachi Initiative, a mentoring children of prisoners program.

Item 56. In addition to any other funds appropriated by the provisions of this act, there is appropriated \$50,000 to the endowment fund of the Tennessee Intercollegiate State Legislature Foundation; provided that such funds are matched by private donations on a one-to-one basis.

Item 57. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 to the Secretary of State for the sole purpose of acquiring additional databases for the Tennessee electronic library.

Item 58. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$200,000 to the Tennessee Arts Commission for the sole purpose of supporting implementation of the U.S. Department of Education grant for the state-wide "Value Plus" Schools Arts Integration Program.

Item 59. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$25,000 to the Department of Finance and Administration for the sole purpose of making a grant in such amount to A Secret Safe Place for Newborns of Tennessee, Inc., to be used for programs, services and operational expenses.

Item 60. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Darryl Worley Cancer Treatment Center in Savannah, to be used for operational expenses.

Item 61. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 to the Aspell Recovery Center, Jackson, for the sole purpose of funding services and operation of a women's substance abuse treatment center.

Item 62. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$190,000 (\$95,000 recurring; \$95,000 non-recurring) to the Department of Finance and Administration for the sole purpose of contracting with a nonprofit organization for promotion of health awareness among Tennessee males. Such nonprofit organization must have been established prior to January 1, 2004; must have received a contract administered through the Tennessee Department of Health; must have received funding through the vitamin supplement settlement of June 2003, administered by the Tennessee attorney general's office; and must possess substantial experience with general health outreach and education activities for males in Tennessee, including activities for the general population and the underserved living in Tennessee.

Item 63. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 to the Department of Health for the sole purpose of making a grant in such amount to the Epilepsy Foundation of Tennessee, to be used for programs, services and operational expenses.

Item 64. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 to the

Department of Agriculture for the sole purpose of establishing a mobile spay/neuter pilot program.

Item 65. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$300,000 to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Nashville Children's Theatre, to be used for capital improvements and operations.

Item 66. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$80,000 to the Tennessee Historical Commission for the sole purpose of matching federal funds for the completion of the historic property survey and inventory.

Item 67. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$10,000 (recurring) to the Tennessee Historical Commission for the sole purpose of improvements and expansion of *The Courier*.

Item 68. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$65,000 to the Tennessee Historical Commission for the sole purpose of maintenance of historic sites.

Item 69. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 to the Department of Education for the sole purpose of making a grant in such amount to the Tennessee Alliance of Boys & Girls Clubs, to be used for a youth smoking prevention program called SMART Moves.

Item 70. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Nashville Hall of Fame Songwriters Foundation, to be used for planning, site acquisition, construction and operation of a Songwriters Hall of Fame.

Item 71. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Philadelphians Prison Ministries, Inc., to be used for HELP House.

Item 72. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 to the Department of Health for the sole purpose of making a grant in such amount to the Crumley House located in Washington County, to be used for the provision of programs and services on behalf of persons suffering from traumatic brain injuries.

Item 73. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 to the Department of Education for the sole purpose of making a grant in such amount to Education Equal Opportunity Group, Inc. in Nashville, to be used for programs and services for at-risk students.

Item 74. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$300,000 to the administrative office of the courts for the sole purpose of continuing judicial/legal education.

Item 75. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$200,000 to Roane State Community College for the sole purpose of providing funding assistance for construction of the college's Expo Center.

Item 76. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 to the Tennessee Historical Society for the sole purpose of providing funding assistance for the four (4) district competitions, held throughout the state, associated with Tennessee History Day.

Item 77. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$2,800,000 to the Department of Health for the sole purpose of providing HIV/AIDS services.

Item 78. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$8,950 to the Recording for the Blind & Dyslexic Tennessee Unit for the sole purpose of purchasing recording equipment and professional materials for the blind, visually impaired and learning disabled.

Item 79. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 to Juvenile Court of Shelby County for the sole purpose of programs and services.

Item 80. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 to the Commission on Aging and Disabilities for the sole purpose of making a grant in such amount to the endowment fund of Senior Citizens Services, Inc. of Shelby County, to be used for ongoing support of the Ruth E. Tate Senior Center.

Item 81. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$2,500,000 (non-recurring) to the Department of Labor and Workforce Development, division of adult education to be used for adult education.

Item 82. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 to the Department of Mental Health and Developmental Disabilities for the sole

purpose of making a grant in such amount to Tennessee Mental Health Association, to be used for implementing a public awareness and education campaign.

Item 83. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$150,000 to the Commission on Children and Youth for the sole purpose of funding 10 new Court Appointed Special Advocate (CASA) programs in previously unserved counties.

Item 84. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$116,500 to the Tennessee Historical Commission for the sole purpose of defraying operating expenses associated with the various state-owned historical sites.

Item 85. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$25,000 to the Tennessee Wars Commission for the sole purpose of battlefield preservation, battlefield monuments and markers, and battlefield educational materials.

Item 86. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$2,000,000 to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Memphis Bioworks Foundation.

Item 87. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 to the Department of Education for the sole purpose of making a grant in such amount to Students Obtaining Academic Excellence (SOAR) of Chattanooga, to be used for a pilot project in Hamilton County testing for statewide implementation.

Item 88.

(a) The Commissioner of Finance and Administration shall transfer from the general fund to the transportation fund a sum sufficient equal to the appropriations in this item.

(b) There is appropriated the sum of \$10,000,000 (non-recurring) to the Department of Transportation for the sole purpose of road maintenance.

(c) There is appropriated the sum of \$5,000,000 (non-recurring) to the Department of Transportation for the sole purpose of making grants to publicly-owned transit providers in Tennessee. Such fund shall be distributed as follows:

(1) 50% of the funds appropriated by this item shall be based upon vehicle miles traveled within the transit



system and shall be prorated among the publicly-owned transit providers accordingly;

(2) 25% of the funds appropriated by this item shall be based upon the total numbers of passengers carried by such transit system and shall be prorated among the publicly-owned transit providers accordingly; and

(3) 25% of the funds appropriated by this item shall be based upon the number of miles traveled by passengers on a transit system and shall be prorated among the publicly-owned transit providers accordingly.

The funds appropriated by this item shall be appropriated only if matching funds, in an amount equal to ten percent (10%) of such funding, are committed by the respective, local governments. Any funds not expended pursuant to this item by June 30, 2008, for the purposes of this item shall revert to the Department of Transportation for the sole purpose of funding public transportation efforts in this state.

Item 89. From the appropriations in Section 1 of this act, there is hereby appropriated \$18,000,000 from the real estate transfer tax, to be allocated to the following programs, as authorized by Tennessee Code Annotated, Section 67-4-409:

(a) To the 1986 Wetland Acquisition Fund	\$ 7,313,100
(b) To the Local Parks Land Acquisition Fund	\$ 3,936,900
(c) To the State Lands Acquisition Fund	\$ 3,375,000
(d) To the Agricultural Resources Conservation Fund	\$ 3,375,000

This item is subject to the provisions of Senate Bill No. 2223/House Bill No. 2281 amending Tennessee Code Annotated, Section 67-4-409 and allowing a general fund allocation from the real estate transfer tax becoming law.

SECTION 13. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. The Commissioner of Finance and Administration is authorized to reallocate appropriations for Board of Claims premiums and property insurance premiums among state agencies and programs, based on the actuarial study provided by the State Treasurer, and to adjust federal and other departmental revenues accordingly. There is further appropriated for this purpose sums sufficient from dedicated and earmarked revenues to provide for the allocation of appropriations to those agencies and programs funded by dedicated and earmarked

revenues. The Commissioner of Finance and Administration also shall reduce appropriations from the general fund and from dedicated and earmarked revenues where necessary, to reflect the allocations of the actuarial study.

Item 2. From the appropriation made in Section 4, Title III-1, Item 7.3, Risk Management Fund, funds may be expended for purposes outlined in TCA 9-8-109(d) including, but not limited to, contracting with a third party for claims management services.

SECTION 14. The appropriations made by this act and all other appropriations, including appropriations of departmental revenues as set forth in Section 4 of this act, except such as may be made for the expenses of the Legislative Branch, and the appropriations made for the Judiciary, including the Attorney General and Reporter, District Attorneys General, Public Defenders, and the Office of the Post-Conviction Defender, the Secretary of State, Comptroller of the Treasury and State Treasurer, shall be obligated and expended under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51, which shall remain in full force and effect; and in case of conflict with any other law, the provisions of such laws shall prevail, except as otherwise herein specifically provided. All appropriations except those made by acts authorizing bond issues and expenditures thereof and those excepted from obligations and expenditure hereinabove, though made by other statutes, shall likewise be obligated and expended under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51.

#### SECTION 15.

Item 1. No part of the fund appropriated to any department, office, instrumentality, or agency of the state government shall be expended in any other such entity, but if the head of any department, office, commission or instrumentality of the state government finds that there is a surplus in any classification, division, or unit under such entity, and a deficiency in any other division, unit or classification, then in that event the head of such department, office, commission or instrumentality of the state government may transfer such portion of such funds as may be necessary for the one division, unit or classification where the surplus exists to the other, except as otherwise provided herein, provided such transfer is approved by the Commissioner of Finance and Administration. Such transfer of funds pursuant to this item shall be subject to the approval of a majority of a committee composed of the Speaker of the Senate, the Speaker of the House and the Comptroller of the Treasury.

Item 2. The Commissioner of Finance and Administration may establish in any department, office, commission or instrumentality of the state government a clearing account through which all salaries and wages, including the state's portion of retirement, insurance, Social Security, etc., may be disbursed. In the event such accounts are established, department records shall be maintained showing the distribution of such amounts among the various appropriation codes, and

any financial reports shall present expenditures as if such expenditures had been made through the individual appropriation accounts.

Item 3. The Commissioner of Finance and Administration shall have power and authority to refuse, with the approval of the Governor, to approve or honor any and all requisitions for purchases, except requisitions for purchases authorized by the Legislative Branch, including the Secretary of State, Comptroller of the Treasury and State Treasurer, and the Judiciary, including the Attorney General and Reporter. In case any division or function of government for which an appropriation is provided in this act or otherwise, shall be transferred from an existing department, to any other department, such transfer shall automatically result in the appropriation for such transferred division or function becoming available to the department to which such transfer is made for the purposes of such transferred division or function.

Item 4. From the appropriations made to the various state departments and agencies under this act, and other general acts appropriating money, there may be paid any expenses incurred by said departments and agencies for the purpose of conducting and serving as host for regional or national conferences of which such departments or agencies may be members. Before any funds shall be expended under this authorization, the amount and purpose of the proposed expenditure shall be approved by the Commissioner of Finance and Administration.

Item 5. Notwithstanding any provision of law to the contrary, no state department or agency in the Executive Branch of state government is authorized to make organizational changes within such department or agency without the prior approval of the Commissioner of Finance and Administration. Where such organizational changes require a transfer of funds between organizational accounts and are contrary to the manner in which appropriations have been made herein, approval of said transfers is subject to approval by the Commissioner of Finance and Administration and by a majority of a committee composed of the Speaker of the Senate, the Speaker of the House and the Comptroller of the Treasury.

Item 6. The Commissioner of Finance and Administration is authorized to draw down disputed federal funds and to reserve the funds to prevent their expenditure until the dispute is settled; and the Commissioner of Finance and Administration in consultation with the State Treasurer is authorized to allocate interest earnings on the draw-down of disputed federal funds and to pay interest earnings to the federal government in those instances when expenditures are ultimately disallowed.

Item 7. The Commissioner of Finance and Administration is authorized to impose a reasonable real estate transaction fee on all real estate transactions when the transaction is processed through the Department of Finance and Administration. Said fee structure shall be subject to approval by the State Building Commission.

Subject to the approval of the State Building Commission, there is hereby appropriated a sum sufficient to replace any real estate transaction fees that are waived.

Item 8. The Commissioner of Finance and Administration and the State Treasurer, with approval of the State Comptroller, shall develop and implement a policy to recover state funds and the state's costs associated with checks, warrants, drafts, and electronic funds transfers deposited to a state account that are subsequently returned unpaid by the drawer's bank.

Item 9. The Commissioner of Finance and Administration is authorized to maintain an indirect cost recovery plan to recognize overhead costs associated with the operations of the Tennessee Regulatory Authority, Wildlife Resources Agency, Department of Financial Institutions, Housing Development Agency and the regulatory boards and commissions not under the administration of the Department of Commerce and Insurance or the Department of Health. The Commissioner is further authorized to charge the departments and agencies covered by the indirect cost recovery plan for their individual overhead costs.

Item 10. The Commissioner of Finance and Administration shall establish a state regulatory fee of \$5.00 for one year and \$10.00 for two years. The fee shall be in lieu of any allocation of indirect costs which would otherwise be allocated to the regulatory boards covered by the provisions of Tennessee Code Annotated, Section 4-3-1011(b)(2).

Item 11. If any appropriation in this act fails to designate a department or agency of state government to be responsible for the administration of the appropriation, then the Commissioner of Finance and Administration is hereby directed to designate the state department or agency to administer the appropriation.

Unless otherwise directed by language in this act, appropriation grants to agencies outside of state government shall be administered in such manner as the Commissioner of Finance and Administration shall determine. Direct appropriation grants for the benefit of agencies outside of state government may be administered by the Department of Finance and Administration.

Item 12. For the purposes of this item, the term "chief fiscal officer" shall mean the position within a state agency that has overall daily responsibility for the oversight of the fiscal operation for that agency. The Commissioner of Personnel in consultation with the Commissioner of Finance and Administration shall designate and classify position(s) within each agency of the Executive Branch of state government as chief fiscal officer(s) for that agency. Qualifications and appointments to fill existing or future vacancies shall be in accordance with procedures established by

the Commissioner of Personnel with the approval of the Commissioner of Finance and Administration.

Item 13. From the appropriations made in this act to pay the salaries of state employees who are hired on or after July 1, 2007, the Commissioner of Finance and Administration is authorized to require that those salaries be paid through direct-deposit procedures.

Item 14. The Commissioner of Finance and Administration is hereby authorized to adjust departmental revenue and reserve estimates and related expenditures: (a) for internal service funds and enterprise funds to record fees received for services provided to departments, agencies, boards, and commissions and (b) to record payment for services provided to state agencies by another state agency.

Item 15. The Commissioner of Finance and Administration is hereby authorized to adjust departmental revenue and related expenditures to recognize (a) the carry-over of federal funds and other departmental revenues that were budgeted and allotted but unexpended or unobligated at June 30; (b) an increase in the federal rate of reimbursement or match in federal programs so that there is less state expense or the additional federal funds are available to meet increasing costs without improving programs; and (c) an unexpected increase in federal grant funds so that there is less state expense or the additional federal funds are available to meet increasing costs without improving programs.

Item 16. The Commissioner of Finance and Administration is hereby authorized to adjust the estimates of federal block grant funds and other federal grant-in-aid funds estimated in Section 4 and Section 31 of this act to reflect the actual allocations of federal revenues made available to the State of Tennessee by the federal government.

## SECTION 16.

Item 1. Each department, division or agency for the benefit of which an appropriation is made herein and which participates in the Consolidated Retirement System, shall pay from such appropriation monthly such sums as may be due such Consolidated Retirement System as the state's contribution from such department, division or agency.

Item 2. Whenever any law relating to retirement matters is passed by the General Assembly which does not affirmatively state that it has application to participating political subdivisions and it is subsequently determined by the retirement division that such act or provision thereof mandates increased liability to a participating political subdivision within the meaning of Article II, Section 24, of the Tennessee Constitution, compliance with the provisions of such act or acts shall be optional to the political subdivision. Upon discovery by the retirement division that an enactment increases liabilities to the local governments, notice of the effect of such enactment shall be given to the governing body by the

retirement division within a reasonable time after discovery. The governing body of each political subdivision shall upon notification of the effect of the law, advise the retirement division of its desire to be covered by the provisions of the act within four (4) months of the date of notice. All participating political subdivisions which do not elect to be covered by the provisions of the enactment shall be excluded from the provisions thereof.

#### SECTION 17.

Item 1. From the appropriations made herein, the various departments, agencies, boards and commissions of state government shall pay on behalf of each participating employee within the respective departments, agencies, boards and commissions, not less than eighty percent (80%) of the cost of each individual's participation in the basic group medical insurance program and one hundred percent (100%) of the cost of twenty thousand dollars (\$20,000.00) of basic term life insurance coverage and forty thousand dollars (\$40,000.00) of basic special accident insurance coverage for each participating employee; such basic medical, life and accident insurance program to be established pursuant to Tennessee Code Annotated, Title 8, Chapter 27, Part 2.

The employer contribution amounts established by the State Insurance Committee for eligible participating employees shall not exceed, in the aggregate, the amounts appropriated in this act. The State Insurance Committee shall determine a calendar year 2008 plan of benefits and monthly premiums for each of the healthcare options it authorizes pursuant to Section 8-27-201, Tennessee Code Annotated, which result, with reasonable certainty, in the provision of sufficient revenues to pay plan expenses and to provide for the funding of reserves for estimated incurred but unreported claims. The monthly premiums and the employer contribution amounts shall be subject to the approval of the Commissioner of Finance and Administration pursuant to Section 4-3-1006, Tennessee Code Annotated.

Item 2. From the appropriations made herein the Department of Military is hereby authorized to pay, on behalf of each participating national guardsman called up to state active duty, the cost of each individual's participation in the state-approved Group Life Insurance Plan for national guardsmen called up to state active duty. The provisions of Tennessee Code Annotated, Title 8, Chapter 27, Part 2, shall apply.

Item 3. The State Insurance Committee shall establish and maintain, within the appropriations made in this act for supplemental medical insurance for retired state employees and retired teachers and in accordance with Tennessee Code Annotated, Section 8-27-702, the respective contribution levels to be made by the state on behalf of the eligible participating retirees. The annualized contribution rate established by the Committee for the eligible participating employees shall not exceed the amount appropriated in this act, and the rate established is subject to approval by the Commissioner of Finance and Administration.

Item 4. It is the legislative intent that the State Insurance Committee establish a schedule of premium payments for retirees participating in the group insurance plan under the provisions of Tennessee Code Annotated, Section 8-27-205(b).

Item 5. The Commissioner of Finance and Administration is hereby authorized to establish positions and make appropriate adjustments to the Insurance Administration budget to reflect changes in the contractual arrangements for medical and other insurance coverage provided to state insurance plan participants. The establishment of additional positions and the allotment of additional departmental revenue are subject to approval by the State Insurance Committee.

SECTION 18. From the appropriations made by this act, claims for official travel expenses of state employees and members of boards and commissions, notwithstanding any provision of the law to the contrary, shall be subject to the provisions of comprehensive travel regulations as approved by the Attorney General and the Commissioner of Finance and Administration under the provisions of Tennessee Code Annotated, Section 4-3-1008.

SECTION 19. Whenever similar or duplicate appropriations are made in this act to those carried in any other act, such appropriation herein shall not be deemed as a supplemental appropriation, it being the legislative intent that there shall be no overlapping appropriations for equivalent amounts; but if this act simply supplements the appropriations made by the other act, then such supplemental appropriation shall be valid. The same shall apply to similar or duplicate appropriations made solely within this act.

SECTION 20. Notwithstanding the provisions of Tennessee Code Annotated, Title 54, Chapter 2, Part 2, to the contrary, whenever the State of Tennessee has any surplus lands or other surplus real properties which are sold or conveyed during the fiscal year ending June 30, 2008, the proceeds from the sale of such lands or other real property shall be subject to the provisions of Tennessee Code Annotated, Section 12-2-112.

SECTION 21. The Board of Standards, may, if it considers such action in the interest of the state, authorize the Director of Purchasing to negotiate for the purchase of computer programs and associated software systems without following the procedures set out in Tennessee Code Annotated, Title 12, Chapter 3, relative to requisitioning and the receipt of bids. Such purchases shall be made at and for the best possible price, and each such purchase shall be confirmed by the Board of Standards before becoming effective. This exception shall not apply to the purchase of computer equipment machinery or associated hardware, but the same shall continue to be acquired in accordance with the procedures set out in Tennessee Code Annotated, Title 12, Chapter 3.

SECTION 22. Notwithstanding the provisions of Tennessee Code Annotated, Title 66, Chapter 29, warrants, drafts, and checks drawn on the State Treasury that have not been redeemed within 12 months of issue date shall be cancelled and written off the state's books with the funds reverting to the fund of issue. Subsequent claims by the payee of said instruments, shall be honored

upon receipt of documentation to substantiate the claim. The Commissioner of Finance and Administration and the State Treasurer shall ensure the state's compliance with the unclaimed property law.

SECTION 23. It is hereby declared to be the legislative intent that the Commissioner of Finance and Administration revise the funding recommendations and personnel summaries contained in the Budget Document to conform with this act, other general acts of this Session and any other actions which affect the level of departmental or other such revenue. Said revised summaries shall be provided to the Office of Legislative Budget Analysis, Finance, Ways and Means Committees of the Senate and House of Representatives and to the Office of the Comptroller of the Treasury and Fiscal Review Committee. The Commissioner of Personnel shall submit a monthly report to the Office of Legislative Budget Analysis regarding positions that have been overlapped for ninety (90) days or more. In addition, the budget as introduced shall indicate the number of positions overlapped on the date of introduction.

In establishing allotments from the appropriations herein made, the Commissioner of Finance and Administration may establish total spending authorizations in the amount of the specific appropriation from state revenues herein made, plus the estimated federal and departmental revenues estimated to be available as presented in the revised funding summaries cited above. In the event federal and departmental revenues for any particular program, appropriation code, or other classification are less than the amount estimated to be available under the allotments then and to that extent the spending authorizations are hereby reduced; to the extent that federal or departmental revenues in excess of the amounts allotted are realized, such excess shall not constitute increased spending authorizations, except under the conditions herein specified.

In establishing the allotments herein authorized, the Commissioner of Finance and Administration shall divide the total spending authorizations by allotment code, into two subdivisions, as follows:

1. Personal Services and Benefits
2. Other Operating Expenses

For the purposes of this paragraph, the term "departmental revenues" means earnings or charges for goods or services; or donations, contributions or participation by political subdivisions, foundations, corporations, firms or persons. For purposes of this paragraph, the term "state revenues", means the proceeds of taxes, licenses, fees, fines, forfeiture or other imposts laid specifically by state law. No state revenues shall be expended by any state agency unless such revenues are appropriated by the General Assembly, as reflected in the provisions of this act and the revised summaries cited above. No state agency shall establish any new programs or expand any existing programs, beyond the scope of those already established, recognized and approved by the General Assembly, as reflected in this act and the revised summaries cited above, unless each such new or expanded program is funded entirely from unanticipated or



excess departmental revenues or federal revenues. However, no such expenditure of unanticipated or excess departmental revenues or federal revenues shall occur until written notice of the program and the availability of unanticipated or excess departmental revenues or federal revenues is submitted by the Commissioner of Finance and Administration to the Chairs of the Finance, Ways and Means Committees of the Senate and House of Representatives and until said committee chairs have acknowledged in writing receipt of such written notice; provided further, however, written notice of any new or expanded capital outlay program and the availability of unanticipated or excess departmental revenues or federal revenue funding shall also be submitted to the State Building Commission for acknowledgement of receipt. When submitted, a copy of operational budget expansion reports shall be provided to the Fiscal Review Committee executive director and the Office of Legislative Budget Analysis director for information purposes.

#### SECTION 24.

Item 1. Notwithstanding any provision of the law to the contrary, the heads of the respective departments for which appropriations are made in Section 1, Titles I, II, III-1, Items 1, 3, 5, and 7, are authorized to revise their respective budgets and personnel authorizations within the appropriations made in Sections 1 and 4 of this act and to submit those revised summaries to the Commissioner of Finance and Administration, who shall incorporate them into the revised funding recommendations and personnel summaries and allotments and spending authorizations required by Section 23 of this act.

Item 2. All funds appropriated in Section 1, Title III-1, Items 3, 5 and 7 and in Section 4, Title III-1, Items 3, 5 and 6, shall be administered in a ministerial capacity by the Department of Finance and Administration in accordance with budgets and any revisions thereto of the respective entities for which such appropriations are made. Such budgets and any revisions thereto shall be subject to the concurrence of the Speaker of the Senate and Speaker of the House of Representatives.

SECTION 25. Except where sovereign immunity has been or shall hereafter be expressly waived by the General Assembly, all appropriations of state revenues and departmental revenues made in this act and in prior acts to the state, its departments, agencies, boards, educational institutions, instrumentalities, and incorporated entities performing the state's governmental functions shall be state funds and shall be protected by the state's sovereign immunity from every court's judgment, decree, attachment, or other legal process; provided, however, that any statutory or other provision authorizing an agency, board, or entity to sue and be sued shall not constitute a waiver of sovereign immunity.

SECTION 26. From the appropriation made for the General Assembly under Section 1, Title I, payment shall be made for, but not limited to, the following items:

1. Any lawful expenses of the One Hundred Fifth General Assembly, for which funds have not been obligated on June 30, 2007, such funds herein appropriated as are required may be made available during the fiscal year ending June 30, 2007.

2. The lawful expenses of the One Hundred Fifth General Assembly.

3. The cost of staffing, maintaining and operating the offices of the Speaker of the Senate and the Speaker of the House of Representatives, including necessary travel and other expenses incident to said offices, not covered by Title I, Items 1.3 and 1.4, of this act.

4. Such expenses as may be incurred for maintaining legislative facilities including the maintenance and staffing and such other expenses as may be necessary to provide offices and other services to members of the General Assembly and their staff in state facilities in Nashville.

5. Expenses and travel pay to legislators for each day when attending conferences, workshops, and other official meetings, both within and without the State of Tennessee, when said travel is approved by the Speaker of the Senate and/or the Speaker of the House of Representatives. Payments shall be at the same rate provided for members of the standing committees of the General Assembly when meeting between sessions. Provided, further, that reimbursement may be made to legislators for registration fees incurred while attending conferences and meetings as may be approved by the Speaker of the Senate and/or the Speaker of the House of Representatives.

6. Expenses and travel pay allowed to members of the Joint Legislative Services Committee as authorized under Tennessee Code Annotated, Section 3-1-106, and to members of the Fiscal Review Committee, as authorized under Tennessee Code Annotated, Section 3-7-102.

7. The Speakers may transfer to the Office of Legislative Services and the Office of Legal Services for the General Assembly and to the Fiscal Review Committee sufficient funds to enable them to complete all studies assigned to them by the One Hundred Fifth General Assembly, and to furnish such help as may be required by standing, select and joint committees of the General Assembly.

8. Membership dues to the National Conference of State Legislatures, similar service organizations, and such other conferences as may be approved by the Speaker of the Senate and the Speaker of the House of Representatives. Such payments may be made quarterly or in accordance with other partial payment plans.

9. Any expenditures for legislative purposes called for by resolutions or joint resolutions properly adopted by either or both Houses of the General Assembly.

10. Payment of expenses to any member, as provided by law, for attendance at any meeting of any standing, special, or select committee of the General Assembly, whether such meeting occurs during or between sessions of the General Assembly. Such expenses for meetings held between sessions shall be paid at the same rate as provided in the general law for meetings held while the General Assembly is in session.

11. In addition to appropriations made under Section 1, Title I, there is hereby appropriated a sum sufficient to cover any increase automatically occurring under mandate of law in any compensation, benefits, or expenses funded under Section 1, Title I.

12. From funds available to the General Assembly, there is earmarked a sum sufficient for the sole purpose of funding expenses of members of the General Assembly for meetings of study committees of the General Assembly on which they serve; provided, that such expense payment is subject to approval by the Speaker of the House of Representatives and the Speaker of the Senate in accordance with Tennessee Code Annotated, Section 3-1-106.

All items listed above, together with any other expenses for the General Assembly, upon the approval of the Speaker of the Senate and/or the Speaker of the House of Representatives, shall be paid through the Office of Legislative Administration, who shall also be authorized to make arrangements for, and incur obligations incident to, any convening of the One Hundred Fifth General Assembly, including, but not limited to, such items as contracts for the reproduction of bills, the printing of a daily legislative service, and the Tennessee Legislative Record.

Provided, further, that during any period when the Offices of the Speaker of the Senate or the Speaker of the House of Representatives are vacant, or otherwise upon authority of the Speakers, the Director of the Office of Legislative Administration is hereby authorized to do any act which the Speaker might do under the provisions of this section.

The provisions of the section shall not be construed to countermand any general act passed by the One Hundred Fifth General Assembly.

SECTION 27. The Speaker of each House of the General Assembly shall be paid from funds appropriated to the General Assembly the following sums:

Seven hundred fifty dollars (\$750.00) for their ex officio services during any session of the General Assembly; plus the sum of five thousand seven hundred dollars (\$5,700.00) annually for local office expenses in their county of residence which will be in addition to the cost of maintaining and operating offices in the State Capitol. In addition, each Speaker shall be allowed the same amount for expenses and travel pay as that provided for members of the standing committees of the General

Assembly when meeting between sessions, for attending meetings of standing, select, or joint committees of the General Assembly or when absent from their county of residence on official duty as Speaker. When the Speaker, Majority Leader, Senate Floor Leader or House Majority Whip travel by conveyance owned by such person, travel pay may be allowed on the basis of actual cost.

The allowance for ex officio duties authorized by this section shall be paid at the request of each Speaker at any time after adjournment of a session. The amount authorized hereby for local office expenses shall be paid annually on or after November 1st of each year at the request of each Speaker. Requests for payments shall be addressed to the Director of the Office of Legislative Administration and need not be accompanied by a list of expenditures for which allowances the reimbursements are claimed. Payments for attending meetings between sessions or when absent from county of residence shall be paid from time to time on request of each Speaker.

SECTION 28. In order to prevent duplication of effort and to establish professional standards, audits to be performed by internal audit staffs or grantees of departmental activities funded from appropriations made in this act shall be coordinated with the Office of the Comptroller of the Treasury, and such reports as may be issued shall be prepared in accordance with standards established as required by law by the Comptroller of the Treasury. No department, agency, institution, board, or commission shall cause internal auditing to be performed by persons who do not meet the job specifications for internal auditors established by the Commissioner of Personnel and approved by the Commissioner of Finance and Administration.

SECTION 29. The appropriations to public institutions of higher education set forth in Section 1 of this act shall be subject to the conditions and limitations set forth in this section, and shall not be subject to other provisions of this act except as otherwise expressly stated.

Item 1. Salaries to be paid from the appropriations made to educational institutions shall be fixed as follows:

The President and the staff of the University of Tennessee, by the Board of Trustees; the Presidents and staffs of the institutions within, and the Chancellor and staff of, the State University and Community College System of Tennessee, by the Board of Regents; and the Directors and staffs of the technology centers by the Board of Regents; all of which shall be within the appropriations provided and available for said purposes.

Item 2. Each higher education institution, including technology centers, shall report to the Commissioner of Finance and Administration, the Tennessee Higher Education Commission, and the Office of Legislative Budget Analysis, the actual amount of expenditures for maintenance and operation of the physical plant, exclusive of utilities, for the fiscal year, and any deviation in these expenditures from the amounts

recommended in the funding formula for these purposes, prorated to reflect actual funding levels appropriated in this act.

Item 3. All institutional revenues of any kind collected by the institutions in the course of their operations for their own use are hereby appropriated to the institutions in addition to the specific appropriations made by this act.

Item 4. It is the intent of the General Assembly that there shall be consistent fee charges among the public institutions of higher education of the state, subject to the nature and scope of the institutions, and that the State Board of Regents and the Board of Trustees of the University of Tennessee shall consult with the Higher Education Commission before establishing the fee schedules for the universities, community colleges and technology centers.

Item 5. The appropriations herein for higher education and appropriations of all higher education departmental and institutional revenue are subject to the provisions of Tennessee Code Annotated, Title 9, Chapter 4, and subsections (4) and (5) of Tennessee Code Annotated, Section 4-3-1006. Within the general requirements of these provisions, the Commissioner of Finance and Administration, in consultation with the Comptroller of the Treasury and the Higher Education Commission, shall specify the content and procedures for submitting operating budgets and revisions thereto. The operating budgets shall be submitted to the Higher Education Commission by the respective governing boards. The Higher Education Commission shall then submit such operating budgets with their comments to the Department of Finance and Administration for approval. In addition, the appropriations in this act to institutions of higher education shall be subject to the requirements, restrictions and controls of the State Board of Claims and the State Building Commission in the same manner as other agencies of the state. The governing boards shall submit to the Office of Legislative Budget Analysis both the original and revised operating budgets proposed. The Tennessee Higher Education Commission shall submit to the Office of Legislative Budget Analysis the revised higher education funding formula for the ensuing fiscal year no later than December 1 of each year.

Item 6. From the appropriations made herein, institutions of higher education are hereby authorized to pay, on behalf of each participating employee, a percentage amount equal to the amount paid by other agencies of the state of the cost of each employee's participation in the state-approved Group Insurance Plan for state employees.

Item 7. Except where sovereign immunity has been or shall hereafter be expressly waived by the General Assembly, all appropriations of state funds and institutional revenues made in this act and prior acts to institutions of higher education shall be state funds and shall be protected by the state's sovereign immunity from any court's judgment, decree, attachment, or other legal process, provided that any

statutory or other provision authorizing any entity to sue and be sued shall not constitute a waiver of sovereign immunity.

Item 8. From the appropriations made in this act and other appropriations acts, the budgetary units in higher education shall pay to the Division of Retirement, Department of the Treasury, the employer's share of retirement and Social Security costs including the additional benefit costs associated with pay raises funded from fees, revenues, payroll savings or any other funding source.

Item 9. The appropriations in this act for Centers of Excellence and Campus Centers of Emphasis are subject to allocation by the Higher Education Commission and the Commissioner of Finance and Administration. In allocating the appropriation for Centers of Excellence, a consideration shall be planned reductions to existing expenditures to supplement funding for the centers. The obligation and expenditure of funds appropriated for Centers of Excellence shall be subject to oversight by the special joint committee of the General Assembly created pursuant to the provisions of the Comprehensive Education Reform Act of 1984.

Item 10. There is hereby appropriated a sum sufficient to pay insurance claims filed by lending institutions under the provisions of the Federal Family Education Loan Program and the costs associated with administering that program. Provided, however, such payments shall be made and such costs shall be paid from funds and reserves received and maintained by the Tennessee Student Assistance Corporation for the Federal Family Education Loan Program and the State of Tennessee shall in no way be liable for such claims.

Item 11. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Student Assistance Corporation all reserve balances now held by the Corporation for the Student Loan Program authorized by Tennessee Code Annotated, Title 49, Chapter 4, Part 5. It being the legislative intent that these reserves may be used to cover any expenditures resulting from over-awards of assistance to students enrolled during the 2007-2008 academic year under the Student Assistance Program and may use that portion of earnings from the Student Loan Program reserves to conduct the training, administration and default management for students, schools and lenders in the Federal Family Education Loan Program, Part 4 and the Student Loan Program, Part 5. The allotment of funds appropriated by this item shall be subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51.

Item 12. In the Tennessee Student Assistance Awards program any prior year appropriations recovered from prior recipients by June 30, 2008, shall not revert to the fund balance but shall be added to the reserve balances now held by the Student Assistance Corporation for the Student Loan Program authorized by Tennessee Code Annotated, Title 49, Chapter 4, Part 5.

Item 13. Proceeds collected from prior recipients of the teacher loan/scholarship programs authorized by Tennessee Code Annotated, Title 49, Chapter 4, Parts 2 and 7, shall not revert to the fund balance but shall be deferred and added to the funds appropriated in the succeeding year for expenditure as awards in the Teaching Scholars Program (Tennessee Code Annotated, Section 49-4-212).

Item 14. Proceeds collected from prior recipients of the Minority Teaching Fellows Program authorized by Tennessee Code Annotated, Title 49, Chapter 4, Part 7, shall not revert to the fund balance but shall be deferred and added to the funds appropriated in the succeeding year for expenditure as awards in the Minority Teaching Fellows Program (Tennessee Code Annotated, Section 49-4-706).

Item 15. There is hereby appropriated a sum sufficient to the Tennessee Student Assistance Corporation from accumulated interest earnings in the Academic Scholars Program (Tennessee Code Annotated, Section 49-4-203) and in the Christa McAuliffe Scholarships Program (Tennessee Code Annotated, Section 49-4-705).

Item 16. There is hereby appropriated a sum sufficient to the Baccalaureate Education System Trust Board of Directors from fees and other charges for participation in the prepayment tuition program operated by the board under the provisions of Tennessee Code Annotated, Title 49, Chapter 7, Part 8.

Item 17. The appropriation made in Section 1, Title III-22, Item 20, of this act for higher education professional privilege tax payments is intended to reimburse public higher education institutions and programs for payment of the professional privilege tax levied in Tennessee Code Annotated, Title 67, Chapter 4, Part 17, on behalf of employees who are subject to the tax.

Item 18. The capital outlay projects listed in the 2007-2008 Budget Document and which are identified with the heading "Capital Projects from School Bonds and Other Sources, Fiscal Year 2007-2008," are presented for informational purposes only. The projects are subject to recommendation and approval procedures involving the higher education institutions and their governing boards, the Tennessee Higher Education Commission, Finance and Administration, the Tennessee State School Bond Authority, the State Funding Board and the State Building Commission.

The following proposed capital outlay projects, to be funded from school bonds, institutional/auxiliary and other funds, are in addition to those projects listed on pages A-115 through A-117 in the 2007-2008 Budget Document:

East Tennessee State University  
 Alumni Pathway  
 Baseball Facility Development

\$ 250,000  
 6,000,000

Univ School Road Access Modifications	250,000
Early Childhood Learning Suite Development	<u>170,000</u>
	\$ 6,670,000
<u>Middle Tennessee State University</u>	
Corlew & Cummings Housing Renovation	\$ 19,100,000
Greek Row Development Phase 2	<u>9,750,000</u>
	\$ 28,850,000
<u>Tennessee State University</u>	
Hale Stadium Improvements	\$ 3,200,000
NBIC Roof and Drainage Improvements	580,000
Lawson Hall and CARP Roof Replacements	<u>200,000</u>
	\$ 3,980,000
<u>Tennessee Technological University</u>	
Dorm Fire Safety Improvements Phase 3	\$ 510,000
New Residence Hall Phase 2	<u>24,540,000</u>
	\$ 25,050,000
<u>The University of Memphis</u>	
Richardson Towers HVAC	\$ 1,080,000
Smith Dorm Fire Safety Upgrade	<u>1,300,000</u>
	\$ 2,380,000
<u>Columbia State Community College</u>	
Bookstore Construction	\$ 170,000
Natatorium Renovation	<u>680,000</u>
	\$ 850,000
<u>Roane State Community College</u>	
Fire Protection System – Knox Campus	\$ 130,000
Observatory Dome Base	<u>50,000</u>
	\$ 180,000
<u>Pellissippi State Technical Community College</u>	
New Portable Classroom/Office Structure	<u>340,000</u>
<u>University of Tennessee – Knoxville</u>	
Bio-Energy Research Lab Improvements	\$ 750,000
Thompson Boling Arena Renovations II	5,750,000
Data Support Building Improvement	800,000
Research Laboratory Building	<u>30,000,000</u>
	\$ 37,300,000
<u>University of Tennessee at Chattanooga</u>	
Barr Building Improvement	\$ 225,000
<u>University of Tennessee at Martin</u>	
Football Field Improvement	\$ 860,000
<u>University of Tennessee at Memphis Health Science Center</u>	
Eye Institute Improvements	\$ 1,500,000
Food Service Renovations	500,000
Book Store Renovations	500,000
910 Madison Building Renovation	<u>1,000,000</u>
	\$ 3,500,000
 Total	 <u>\$ 110,185,000</u>



The Southwest Tennessee Community College project, Nursing and Biotechnology Facility, listed on page A-116 in the amount of \$2,430,000, is deleted from the list of projects.

The Tennessee State University project, Hankal Hall Renovations, listed on page A-115, is increased from \$750,000 to \$1,500,000.

The Walters State Community College project, Greeneville-Greene County Center Safety Corrections, listed on page A-116, is increased from \$1,000,000 to \$4,500,000.

Item 19. It is the legislative intent that the appropriation of \$1,100,300 in Section 1, Title III-22, Item 17 as amended, Higher Education – Group Health Insurance Premium – 1/1/08, and the sum of \$6,767,200 in Section 1, Title III-10, Higher Education, for the academic formula and non-formula operating improvement provide a total of \$7,867,500 for the state appropriation share of the group health insurance premium increase.

Item 20. From the appropriation in Section 1, Title III-22, Item 29 as amended, Risk Management Premiums, the sum of \$253,700 is appropriated for higher education premium adjustments. It is the legislative intent that the appropriation of \$253,700 in this item and the sum of \$217,200 in Section 1, Title III-10, Higher Education, for the academic formula and non-formula operating improvement provide a total of \$470,900 for the state appropriation share of the risk management premium increase.

SECTION 30. Salaries provided under the appropriations made in Sections 1 and 4 of this act to the respective departments, institutions, offices and agencies shall be fixed as under the provisions of Tennessee Code Annotated, Title 8, Chapter 23.

Within the appropriations made for the Office of the Attorney General and Reporter under this act, the salaries of the attorneys, legal and clerical staff and other employees shall be fixed by the Attorney General. The expenditures provided for herein shall not exceed the amount of the appropriation to the Office of the Attorney General and Reporter.

The salaries of all employees of the Judicial Branch, except those whose salaries are set by law, shall be fixed by the Director of the Administrative Office of the Courts with the approval of the Chief Justice of the Supreme Court. The compensation of the judges, chancellors, and justices of the state's trial and appellate courts shall be set in accordance with Tennessee Code Annotated, Section 8-23-103.

Within the appropriations herein made, the salaries of the subordinates and employees of the Treasurer, Comptroller, Secretary of State, and the Fiscal Review Committee shall be fixed by the heads thereof, respectively, and the salaries of the employees and subordinates of the Joint Legislative Services Committee shall be fixed by such committee in accordance with the provisions of

Tennessee Code Annotated, Title 3, Chapters 10 through 14, inclusive; all other salaries and wages in departments, institutions, offices and agencies shall be approved by the Commissioner of Personnel, provided, however, that the establishment of salary ranges within such departments, institutions, offices and agencies shall be subject to the approval of the Commissioner of Finance and Administration. To the extent that additional funds are appropriated or are generated within a department or agency by abolishing vacant and funded positions, subject to review and approval of the Commissioner of Finance and Administration and the Commissioner of Personnel, salary increases may be granted from such funds.

Employee promotions shall be reported to the General Assembly under the provisions of Tennessee Code Annotated, Section 8-30-211(b).

SECTION 31. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. Under the provisions of Section 4 and Section 23 of this act, it is the legislative intent to appropriate the proceeds of federal block grant programs, as assumed by the State of Tennessee, in the following manner:

1. Social Services block grant in the amount of \$12,706,500 to the Department of Human Services and in the amount of \$21,210,500 to the Department of Children's Services.

2. Mental Health Services block grant in the amount of \$7,896,700 to the Department of Mental Health and Developmental Disabilities.

3. Child Care Development Funds block grant in the amount of \$114,252,400 to the Department of Human Services.

4. Maternal and Child Health block grant in the amount of \$18,214,400 to the Department of Health.

5. Preventive Health block grant in the amount of \$2,761,000 to the Department of Health.

6. Community Services block grant in the amount of \$12,000,000 to the Department of Human Services.

7. Low Income Energy Assistance block grant in the amount of \$24,000,000 to the Department of Human Services.

8. Substance Abuse Prevention and Treatment block grant in the amount of \$34,234,500 to the Department of Health.

9. Temporary Assistance to Needy Families (TANF) block grant in the amount of \$213,055,500 to the Department of Human Services.

10. Small Cities Community Development block grant in the amount of \$53,824,000 to the Department of Economic and Community

Development. Said sum being the estimated allocation of funds for the fiscal years 2006-2007 and 2007-2008 combined.

Provided, however, that all expenditures of any community development block grant funds in addition to those appropriated and enumerated in this section shall be subject to the following limitations and restrictions:

The Housing and Community Development Act of 1981 made it possible for states to assume administration of the small cities Community Development Block Grant (CDBG) previously administered by the U.S. Department of Housing and Urban Development (HUD). In Tennessee, the CDBG Program shall be administered by the Department of Economic and Community Development (ECD).

There shall be appropriated by the General Assembly to ECD such funds as may be allocated to Tennessee by the federal government for the CDBG Program. The state-administered CDBG Program shall be developed within the parameters of the CDBG legislation, applicable federal regulations, and consultation with citizens and elected officials in Tennessee.

The CDBG goals shall be three-fold: (1) target on areas of economic distress, (2) stimulate the growth of jobs and income in these areas, and (3) maximize the number of grantees. Additionally, all CDBG projects must meet one of the three national objectives of (1) principally benefiting persons of low and moderate income, (2) elimination or prevention of slums and blight, or (3) elimination of conditions detrimental to health, safety or public welfare. ECD shall be authorized to make grants and/or loans of CDBG moneys to eligible city and county governments in Tennessee to achieve these goals. Loan payments and interest shall be reserved for reappropriation and shall not revert to the general fund balance at year end.

Eligible applicants shall be all city and county governments in Tennessee except those cities of and counties designated by HUD as CDBG entitlement areas. Cities excluded from the state-administered CDBG Program include Memphis and Shelby County, Nashville (Davidson County), Chattanooga, Knoxville and Knox County, Clarksville, Bristol, Johnson City, Oak Ridge, Murfreesboro, Kingsport and Jackson. These cities and counties will receive their CDBG funds directly from HUD.

Based upon anticipated CDBG allocations of \$26,912,000 in fiscal year 2007 and of \$26,912,000 in fiscal year 2008, the following target funding levels shall be established:

	<u>FY '08</u>	<u>FY '07</u>
Administrative Costs.....	\$ 638,200	\$ 638,200
Industrial Location/ .....	10,261,100	10,261,100
Expansions/ Retentions		
Community Livability .....	1,516,400	1,516,400

Water/Sewer/Solid Waste.....	11,550,100	11,550,100
Housing and Neighborhood Revitalization.....	1,946,200	1,946,200
Set-Aside .....	1,000,000	1,000,000

A fifty percent (50%) reduction in any category will be permitted to facilitate proper program management and allow administrative flexibility. The funds so reduced shall be allocated to other categories with priority given to water/sewer/solid waste projects.

Selection criteria for project approvals shall be uniform within categories, objective and quantitative, and shall be based on project need, project feasibility, project impact, community need, and, for community livability projects, essentialness.

Project application materials will be supplemented, as appropriate, by site visits and by informed opinions of state agencies knowledgeable about particular projects.

The level of CDBG assistance for individual projects shall be determined by the following factors: (1) the percent of project beneficiaries that have family incomes below the low and moderate income (LMI) levels, (2) a maximum grant and/or loan of \$750,000.00 for individual projects (\$300,000.00 for community livability projects), (3) a maximum grant and/or loan to any applicant of \$750,000.00 in two successive years, and (4) the grantee's ability-to-pay. Higher grant levels (up to \$1,000,000.00) may be approved for regional projects.

If modifications in the expenditure plan for the CDBG Program are required, said modifications shall be accomplished in the following manner: (1) if the General Assembly is in session such modifications shall be approved by the General Assembly, or (2) if the General Assembly is not in session, the Governor may, (a) submit such modifications to the State Funding Board for approval or, (b) call a special session of the General Assembly for approval.

SECTION 32. The appropriations made in Section 1, Title III-8, to the Department of Economic and Community Development for the FastTrack infrastructure development and job training assistance programs shall be expended pursuant to Tennessee Code Annotated, Sections 4-3-716 and 4-3-717. The Commissioner of Finance and Administration is authorized to transfer a sum sufficient between FastTrack programs to provide for grants made under these programs.

SECTION 33. On or before January 31 of each calendar year, the Center for Business and Economic Research of the University of Tennessee shall cause to be published a comprehensive report on the state's economy. Said report shall be based on projections from the Tennessee Econometric Model and such other information as the Center may deem appropriate. The report shall contain projections for ten years (beginning with the calendar year preceding the year in which the report is due) of the annual economic activity (level and percent change over prior year) for each of the state's major economic sectors; shall include ten-year projections of selected economic indicators, as specified by the

State Funding Board; and shall also include a narrative description of the short-term and long-term prospects for economic and business activity in the state based on these indicators. Quarterly projections shall also be published if available.

Said report shall be distributed to the Governor and the other members of the State Funding Board. The State Funding Board shall report to the General Assembly as provided in Tennessee Code Annotated, Section 9-4-5202.

SECTION 34. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. From the appropriations made in Chapter 963, Public Acts of 2006, the Commissioner of Finance and Administration is authorized to make transfers from the appropriations made:

Item 1. To the District Attorneys General in Section 1, Title III-1-2.

Item 2. To the Department of Finance and Administration in Section 1, Title III-2-3, and to adjust federal aid and other departmental revenue accordingly.

Item 3. To the Department of Agriculture in Section 1, Title III-3, and to adjust federal aid and other departmental revenue accordingly.

Item 4. To the Department of Environment and Conservation in Section 1, Title III-5, and to adjust federal aid and other departmental revenue accordingly.

Item 5. To the Department of Economic and Community Development in Section 1, Title III-8.

Item 6. To the Department of Education in Section 1, Title III-9, and to adjust federal aid and other departmental revenue accordingly.

Item 7. To the Department of Safety in Section 1, Title III-20, and to adjust federal aid and other departmental revenue accordingly.

SECTION 35. The Commissioner of Finance and Administration is authorized to make the following transfers from the appropriations made in this act:

Item 1. To the Judicial Branch in Section 1, Title II, but excluding the appropriations for Board of Law Examiners, Board of Professional Responsibility, Tennessee Lawyers Assistance Program, Continuing Legal Education and Client Protection Fund. Transfer of appropriations to or between Guardian ad Litem, Indigent Defendants' Counsel, Civil Legal Representation, and Verbatim Transcripts are sanctioned, but transfers from these programs to other programs are excluded.

Item 2. In Section 1 for the IV-D Child Support Program, a reallocation of funds between the District Attorneys General and the Department of Human Services is authorized. The Commissioner of

Finance and Administration is further authorized to adjust federal aid and other departmental revenues, and to establish positions as may be required.

Item 3. To the Department of Correction in Section 1, Title III-7, and to adjust the number of authorized positions within the department's authorized level.

Item 4. To the Department of Labor and Workforce Development in Section 1, Title III-13, and to adjust federal aid and other departmental revenue accordingly.

Item 5. To the Department of Mental Health and Developmental Disabilities in Section 1, Title III-14, and to adjust federal aid and other departmental revenue accordingly.

Item 6. To the Department of Military in Section 1, Title III-15, and to adjust federal aid and other departmental revenue accordingly.

Item 7. To the Department of Health in Section 1, Title III-16, and to adjust federal aid and other departmental revenue accordingly.

Item 8. From the appropriations made to the Department of Human Services and the TennCare Program in Section 1, for eligibility determination for the Medicaid Program and various federal family assistance programs, the Commissioner of Finance and Administration is authorized to reallocate appropriations between the department and program, and to adjust federal and departmental revenue estimates accordingly, in order to reflect actual costs of eligibility determination services and Medicaid case management services.

Item 9. To the Department of Human Services in Section 1, Title III-17, and to adjust federal aid and other departmental revenue accordingly.

Item 10. To the Department of Revenue in Section 1, Title III-18, and to adjust departmental revenue accordingly.

Item 11. The appropriations made in Section 1, Title III-22, Miscellaneous Appropriations, are authorized to be allocated and transferred to the appropriate organizational units and programs of state government by the Commissioner of Finance and Administration. For each appropriation so allocated and transferred, there is further appropriated sums sufficient from dedicated and earmarked revenues to provide for the comparable allocation of appropriations to those agencies and programs funded by dedicated and earmarked revenues. The appropriation for the Homeland Security Emergency Fund is subject to approval by the Director of Homeland Security.

In addition to the appropriations made in Section 4 of this act, there is hereby appropriated to the organizational units and programs of

state government all federal aid funds and departmental revenue earnings associated with the allocation and transfer of Miscellaneous Appropriations authorized under the preceding paragraph in this item.

Item 12. To the Department of Children's Services in Section 1, Title III-23, and to adjust federal aid and other departmental revenue accordingly.

Item 13. To the Department of Finance and Administration – Mental Retardation in Section 1, Title III-25, and to adjust federal aid and other departmental revenue accordingly.

Item 14. To the Department of Finance and Administration, TennCare Program in Section 1, Title III-26, and to adjust federal aid and other departmental revenue accordingly.

Item 15. To the Department of Environment and Conservation in Section 1, Title III-5, to recognize administrative reorganizations and to adjust authorized positions, federal aid and other departmental revenue accordingly.

Item 16. To the Department of Transportation in Section 1, Title III-30, to provide additional funds for resurfacing as determined by the Commissioner of Transportation.

Item 17. To the Department of Transportation in Section 1, Title III-30, to recognize administrative reorganizations and to adjust authorized positions, federal aid and other departmental revenue accordingly.

Item 18. From the funds appropriated in Section 1, Title III-3, to the Department of Agriculture for the farm improvement program.

Item 19. To the Cover Tennessee Health Care Programs in Section 1, Title III-21, and to adjust federal aid and other departmental revenues accordingly.

SECTION 36. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. Subject to the availability of funding at June 30, 2007, any unexpended balances of appropriations made under Chapter 963, Public Acts of 2006, other acts of this General Assembly or acts by previous General Assemblies, listed in this section are hereby reappropriated to be expended in the 2007-2008 fiscal year and such appropriations shall be carried-forward in a reserve into the fiscal year beginning July 1, 2007. The reappropriation and carry-forward of these funds is subject to approval by the Commissioner of Finance and Administration. Unless otherwise noted, the unexpended balances reappropriated are authorized under Chapter 963, Public Acts of 2006, and they are the appropriations made:

Item 1. For data processing services, systems development, data processing equipment purchases and leases and telecommunication

systems purchases and leases. The Commissioner of Finance and Administration is authorized to transfer from the amounts carried forward sums sufficient for the Computer Equipment Replacement Fund and to the Systems Development Fund.

Item 2. Notwithstanding any provision of law to the contrary, all funds appropriated to the Legislative Branch which remain unobligated and unexpended at the end of any fiscal year, shall not revert to the general fund but shall be carried forward in a reserve to be expended in accordance with the approval of the Speaker of the House of Representatives and the Speaker of the Senate. This item shall not be subject to the approval of the Commissioner of Finance and Administration.

Item 3. To the Judicial Branch in Section 1, Title II, but excluding the appropriations for Indigent Defendants' Counsel, Civil Legal Representation, Verbatim Transcripts, Board of Law Examiners, Board of Professional Responsibility, Tennessee Lawyers Assistance Program, Continuing Legal Education, Client Protection Fund and Council of Juvenile and Family Court Judges. The reappropriated funds shall be expended for the integrated computer system for the Tennessee court system under the provisions of Tennessee Code Annotated, Section 16-3-807. This item shall not be subject to the approval of the Commissioner of Finance and Administration.

Item 4. To the Administrative Office of the Courts from the unexpended balance of revenue from the gift received to benefit the Hillman Taylor Library in Memphis.

Item 5. To the Judicial Branch, Board of Law Examiners in Section 1, Title II, Item 13. The carry-forward amount shall be the difference between expenditures and revenues, including any reserve balance.

Item 6. To the District Attorneys General from revenues earned from the Department of Human Services for food stamp fraud prosecution activities, the unexpended balance of such funds, not to exceed \$100,000.

Item 7. To the Secretary of State for publication of the Blue Book pursuant to Section 1, Title III-1, Item 3.3 and Section 36, Item 7.

Item 8. For ethics legislation in Section 38 and carried-forward at June 30, 2006, pursuant to Section 41, Item 51.

From the 2006-2007 non-recurring appropriation of \$110,000 to the Ethics Commission in Acts of 2006, (1st E.S.), Chapter 3, Section 1, the Commissioner of Finance and Administration is authorized to carry forward the unexpended balance at June 30, 2007; and such sum hereby is appropriated for expenditure in fiscal year 2007-2008.



Item 9. To the Alcoholic Beverage Commission from the unexpended balance of departmental revenues of the Alcohol Server Responsibility and Training Program authorized by Tennessee Code Annotated, Title 57, Chapter 3, Part 7.

Item 10. To the Human Rights Commission in Section 1, Title III-2, Item 2.3, an amount not to exceed \$200,000.

Item 11. To the Department of Finance and Administration in Section 36, Item 10, to fund the Safe Neighborhoods Act of 1998.

Item 12. To the Department of Finance and Administration, from the appropriation made in Section 36, Item 40, and in Section 1, Title III-21, Item 30, of Chapter 503, Public Acts of 2005, for the Governor's Methamphetamine Initiative.

Item 13. To the Department of Finance and Administration from the appropriation made in Section 1, Title III-2, Item 3.8, State Health Planning Division.

Item 14. To the Department of Finance and Administration any unexpended real estate fees collected by the Real Property Management Division.

Item 15. To the Department of Personnel in Section 36, Item 11, for a classification-compensation study.

Item 16. To the Department of Personnel in Section 1, Title III-2, Item 4, and in Section 36, Item 12, to fund Training Initiatives.

Item 17. To the Department of Veterans Affairs in Section 36, Item 39, and in Section 1, Title III-2, Item 6, of Chapter 503, Public Acts of 2005, the unexpended balance of the \$300,000 appropriation for Memphis cemetery headstones realignment, which is hereby reappropriated for that purpose and for other non-recurring costs at the veterans cemeteries.

Item 18. To the Board of Probation and Parole in Section 36, Item 27 and in Section 57, Item 37 of Chapter 961, Public Acts of 2004, for a pilot project to monitor sex offenders.

Item 19. To the Department of Agriculture the unexpended balance of revenues from timber sales at state forests and state parks.

Item 20. To the Department of Agriculture for a farm improvement program in Section 36, Item 33 and in Section 60, Item 10.

Item 21. To the Department of Agriculture, from the appropriation made in Section 1, Title III-3, Item 4, Forestry Operations, for the purpose of replacing firefighting pumper units. This carry-forward and

reappropriation is subject to available funds and approval by the Commissioner of Finance and Administration.

Item 22. To the Department of Environment and Conservation, Land Reclamation, in Section 1, Title III-5, Item 16.

Item 23. To the Department of Environment and Conservation, State Parks in Section 36, Item 30 and in Section 38.

Item 24. To the Department of Environment and Conservation for a rural water supply study in Section 57, Item 22.

Item 25. To the Tennessee Historical Commission in Section 1, Title III-5, Items 3 and 9, for the Tennessee Wars Commission.

Item 26. To the Tennessee Historical Commission the unexpended funds from any prior appropriations for publications, historical markers and other historical activities.

Item 27. To the Department of Economic and Community Development from the appropriation made in Section 1, Title III-8, to support the Tennessee Leadership Development Council and the Three-Star community program and the Main Street program.

Item 28. To the Department of Economic and Community Development in Section 36, Item 45, and in Section 60, Item 1, of Chapter 503, Public Acts of 2005, for the Jobs Package.

Item 29. To the Department of Education for the Basic Education Program and withheld from local education agencies in the fiscal year ending June 30, 2007, for non-compliance with the Education Improvement Act.

Item 30. All funds received by the Department of Education in support of the Tennessee Education Technology Conference and which remain unobligated and unexpended at the end of any fiscal year shall not revert to the general fund but shall be carried forward in a reserve to be expended for the purposes of such program.

Item 31. All funds appropriated to the Department of Education for the purposes of the state testing programs which remain unobligated and unexpended at the end of any fiscal year shall not revert to the general fund but shall be carried forward in a reserve to be expended for the purposes of such programs.

Item 32. To the Department of Education in Section 1, Title III-9, in the amount of \$500,000 for the Teach Tennessee Program.

Item 33. To the Department of Education in Section 1, Title III-9 to fund a professional development, leadership, and training initiative program.

Item 34. To the Department of Education in Section 1, Title III-9, for the Governor's Schools Program.

Item 35. To the Department of Education in Section 1, Title III-9 in the amount of \$500,000 (recurring) and \$500,000 (non-recurring) for the Governor's Institute for Science and Math. It further is the legislative intent that the \$500,000 recurring appropriation and any subsequent appropriations are hereby reappropriated and authorized for operational costs of the program.

Item 36. To the Department of Mental Health and Developmental Disabilities in Section 1, Title III-14, for housing initiatives for the seriously and persistently mentally ill.

Item 37. To the Department of Military in Section 1, Title III-15, Item 1, for tuition assistance.

Item 38. To the Department of Health in Section 36, Item 36, for the Model Teen Pregnancy Prevention Program.

Item 39. To the Department of Revenue for the production of license plates.

Item 40. To the Department of Safety and the Tennessee Bureau of Investigation from the handgun carry permit fees paid pursuant to Tennessee Code Annotated, Section 39-17-1351.

Item 41. To the Communications Interoperability – Homeland Security project in Section 1, Title III-21, Item 33.

Item 42. To the Department of Children's Services in Section 1, Title III-22. Subject to the availability of revenue, the Commissioner of Finance and Administration is authorized to carry forward funds to provide: a) for the loss of federal SSBG funds; b) for any grant agreement/contract for the purpose of pre-placement or post-adoption services for youth with special needs; c) for a statewide needs assessment of child welfare services; d) for the Social Worker Training Consortium Program; e) for the Relative Caregiver Program; and f) for costs of accreditation of the department.

Item 43. To Miscellaneous Appropriations in Section 36, Item 25, for performance-based budgeting. The carry-forward shall not exceed \$500,000.

Item 44. To Miscellaneous Appropriations to provide health care safety net funds in Section 36, Item 31 and in Section 58, Item 2 of Chapter 503, Public Acts of 2005.

Item 45. To the Internet Stalking – Public Education program in Section 1, Title III-21, Item 32.

Item 46. To the Biofuels Project in Section 57, Item 21.

Item 47. To the Department of Transportation in Section 1, Title III-29, Item 2, for equipment purchases.

Item 48. To the Department of Transportation for any appropriations which are reserved at June 30, 2007.

Item 49. To the Department of Correction in Section 56, Item 3 from confiscated cash to support canine units.

Item 50. To the Department of Correction in Section 1, Title III-7, Item 5, Brushy Mountain Correctional Complex, in the amount of \$350,000 for the purchase of a bus for inmate transportation.

Item 51. To the Board of Probation and Parole in Section 57, Items 18(a) and (c) in the amount of \$425,100 (non-recurring) for the purchase of supplies for safety improvements.

Item 52. To the Department of Economic and Community Development, Tennessee Film/Television Incentive Fund, in Section 12, Item 20 and Section 68, pursuant to T.C.A., Section 4-3-4903(e).

Item 53. To the Department of Education in Section 12, Item 7, in the amount of \$45,000 (non-recurring) to produce a curriculum for alternative schools pursuant to Chapter 895 of the Public Acts of 2006.

Item 54. To the Department of Military, TEMA Disaster Relief Grants, in Section 62, Item 5, and carried forward at June 30, 2006, in an amount not to exceed \$500,000, to be determined by the Commissioner of Finance and Administration, is re-appropriated to the State Building Commission for capital outlay at Volunteer State Community College, to the extent that April 2006 storm damage capital outlay costs are not recovered from the Risk Management Fund and the Federal Emergency Management Agency.

Item 55. To the Department of Children's Services, Family Support Services, in Section 1, Title III-22, Item 2, in the amount of \$100,000 to provide funds for grants to two additional child advocacy centers (CACs).

SECTION 37. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. Subject to the availability of revenue at June 30, 2007, any unexpended balances of appropriations made under Chapter 963, Public Acts of 2006, other acts of this General Assembly or acts by previous General Assemblies for benefit of an agency of local government or a third-party nonprofit organization for which there is a grant agreement/contract approved by the Commissioner of Finance and Administration are hereby reappropriated to be expended in the 2007-2008 fiscal year and such appropriations shall be carried forward in a reserve into the fiscal year beginning July 1, 2007. The Commissioner of Finance and Administration

shall provide a list of any unexpended balances carried forward to the Director of Accounts and to the Division of State Audit. The reappropriation and carry-forward of these funds is subject to approval by the Commissioner of Finance and Administration.

SECTION 38. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. There is hereby appropriated the following amounts which shall be in addition to the appropriations provided under Chapter 963, Public Acts of 2006:

Judicial		
1.	Guardian ad Litem.....	\$ 1,000,000.00
2.	Indigent Defendants Counsel .....	3,000,000.00
	Total Judicial.....	\$ 4,000,000.00
Post-Conviction Defender		
1.	Operational Expenses .....	\$ 76,000.00
Department of Finance and Administration		
1.	State Planning Office.....	\$ 250,000.00
Department of Correction		
1.	Brushy Mountain Prison Expansion.....	\$ 2,492,000.00
Department of Economic and Community Development		
1.	FastTrack Program.....	\$ 8,000,000.00
Department of Labor and Workforce Development		
1.	New Building – Telephone System.....	\$ 240,000.00
Miscellaneous Appropriations		
1.	Retired Teachers Insurance .....	\$ 100,000.00
2.	Postal Rate Increase .....	200,000.00
3.	Mileage Rate Increase .....	850,000.00
4.	Meal and Lodging Rate Increase.....	750,000.00
	Total Miscellaneous Appropriations .....	\$ 1,900,000.00
	TOTAL .....	\$ 16,958,000.00

The Commissioner of Finance and Administration is authorized to allot and transfer these appropriations to the appropriate expenditure account within

each department, agency or branch of government and to adjust authorized positions accordingly. The Commissioner of Finance and Administration is further authorized to adjust federal aid and departmental revenues accordingly.

SECTION 39. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

	<u>2006- 2007</u>	<u>2007-2008</u>
1. District Attorneys General Conference District Attorneys General	\$ 76,700	\$ 102,100
2. Secretary of State State Library and Archives	1,001,200	0
3. Commissions Commission on Aging and Disability	0	1,660,400
4. Finance and Administration, Bureau of TennCare TennCare Administration	0	232,100
5. Tourist Development Administration and Marketing	0	537,200
6. Higher Education - State Administered Programs Tennessee Higher Education Commission	0	100,000
7. Health Communicable and Environmental Disease Services	23,700	283,600
GRAND TOTAL	\$1,101,600	\$2,915,400

The Commissioner of Finance and Administration is authorized to establish 31 full-time positions and to allocate them to the appropriate organizational units. At June 30, 2007, any unexpended balances of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 2007.

SECTION 40. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. There is hereby appropriated a sum sufficient to recognize any accrued liability of the state and any obligations between state agencies at June 30, 2008, and federal aid and departmental revenues may be adjusted accordingly. This appropriation is subject to certification of the accrued liability and obligations between state agencies by the Commissioner of Finance and Administration to the State Comptroller.

SECTION 41. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1.

(1) All savings of appropriations made in this act from employer FICA taxes as a result of employee participation in any Section 125 cafeteria plan established for state employees are hereby appropriated in the following sequence:

(a) An amount sufficient to implement and pay the cost of administering the cafeteria plan established for such employees is hereby appropriated for that purpose. From the appropriation made in this item, the State Treasurer, with the approval of the Commissioner of Finance and Administration, is authorized to establish positions and funding for such positions in the Department of Treasury to fund recurring and non-recurring costs of administering the cafeteria plan established for such employees. There is hereby appropriated a sum sufficient to pay additional costs of administering the State Employee Cafeteria Plan as a result of increased participation in the plan by state employees; and

(b) An amount up to but not exceeding \$600,000 for the wellness program or other state employee insurance programs administered by the Department of Finance and Administration; and

(c) An amount up to but not exceeding \$150,000 for the daycare program for children of state employees as administered by the Department of Human Services, provided that allotment of funds under this sub-item is subject to approval of the Commissioner of Finance and Administration; and

(d) An amount up to but not exceeding \$120,000 to fund the administrative costs of the state employee sick leave bank administered by the Department of Personnel; and

(e) The amount remaining to provide a source of funding for the employer match to the state's 401(k) plan for state employees compensated on the centralized state payroll system pursuant to TCA, Title 8, Chapter 25.

(2) There is hereby appropriated in Section 1, Title III-22, Item 21, of this act the sum of \$6,697,000 for the forty dollar (\$40) match for state employees compensated on the centralized state payroll system if the amount appropriated from the employer FICA tax savings from the Section 125 cafeteria plan is insufficient.

(3) There is hereby appropriated a sum sufficient from employer FICA tax savings from the Section 125 cafeteria plan maintained by the University of Tennessee to provide for the employer match to the state's 401(k) plan for employees of

institutions under the University of Tennessee system pursuant to TCA, Title 8, Chapter 25. Should this be insufficient to provide for the forty dollar (\$40) match, there is appropriated in Section 1, Title III-10, of this act, the sum of \$1,100,000 to supplement funding for such match.

(4) There is hereby appropriated a sum sufficient from employer FICA tax savings from the Section 125 cafeteria plan maintained by the Board of Regents system to provide for the employer match to the state's 401(k) plan for employees of institutions under the Board of Regents system pursuant to TCA, Title 8, Chapter 25. Should this be insufficient to provide for the forty dollar (\$40) match, there is appropriated in Section 1, Title III-10, of this act, the sum of \$200,000 to supplement funding for such match.

(5) The state treasurer shall have the authority to contract with the optional retirement plan vendors to provide investment products to optional retirement plan participants under the state's 401(k) program.

(6) It is hereby recognized that the appropriations in Section 1, Title III-10, to supplement the 401(k) \$40 match are \$2,100,000 for the University of Tennessee and \$3,400,000 for the Board of Regents.

Item 2. In the fiscal year ending June 30, 2008, there is hereby appropriated a sum sufficient from the state reserve for the Help America Vote Act for the purpose of matching federal funds.

Item 3. The State Library and Archives Management Board in its discretion is hereby authorized to reallocate any remaining funds from the \$1,000,000.00 appropriated in Chapter 1011, Section 12, Item 13, of the Public Acts of 1994, for library construction in specific locations and counties across the state, where projects have not developed to other unspecified locations and counties where future library construction projects may develop.

Item 4. There is hereby appropriated a sum sufficient from earmarked and/or dedicated agency revenues and reserves to provide for the costs of implementing the state's Underground Storage Tanks Program. The Commissioner of Finance and Administration shall allocate the costs to the individual agencies and establish the appropriations required from revenues and reserves available to the individual agencies.

Item 5. There is hereby appropriated a sum sufficient from general fund interest earnings for the purpose of funding the State of Tennessee's liability under IRS regulations for arbitrage interest earnings on proceeds from general obligation debt.



Item 6. There is hereby appropriated a sum sufficient from general fund interest earnings for the purpose of funding the state's liability for the exchange of interest with the federal government as provided for in the Cash Management Act of 1990.

Item 7. There is hereby appropriated a sum sufficient to provide for a consultant's services in review of accounts receivable management for the State of Tennessee and for the implementation of those recommendations to the extent the recommendations are approved by the Commissioner of Finance and Administration. It is the intent of the legislature that said appropriation shall be funded from revenues collected from accounts receivable. The Commissioner of Finance and Administration may establish such positions as may be required to cost-effectively implement such recommendation. The Commissioner also is authorized to allocate a portion of the revenues collected to the appropriate organizational units and programs of state government and to adjust federal aid and other departmental revenue accordingly. Each allocation shall be a one-time incentive to maximize accounts receivable collections and shall be used to fund non-recurring items only.

Item 8. There is hereby appropriated a sum sufficient for the purpose of implementing an employee maintenance policy by the Department of Finance and Administration effective July 1, 2007. It is the legislative intent to hold harmless employees affected by the maintenance policy who were employed as of June 30, 1998. The Commissioner of Finance and Administration is authorized to allocate the appropriation to the appropriate organizational units and programs of state government and to adjust federal aid and departmental revenue allotments accordingly.

Item 9. From the appropriations in Sections 1 and 4 of this act, sums sufficient are appropriated for state agencies to pay the professional privilege tax levied in Tennessee Code Annotated, Title 67, Chapter 4, Part 17, on behalf of full-time state employees who are subject to the tax; and who use the certification in their job duties. The payment is subject to approval by the department or agency head in accordance with the provisions of Tennessee Code Annotated, Section 67-4-1709.

Item 10. From the appropriations made in Section 1, Titles III-2 through III-30 and in Section 4, Titles III-2 through III-27, to the Executive Branch departments and agencies, the Commissioner of Finance and Administration is authorized to transfer amounts budgeted for contract services to payroll and to increase the number of authorized positions to replace contractors with state employees.

Item 11. Subject to the financial reporting requirement that the value of federal food stamps be recognized in the state's accounting system, there is hereby appropriated a sum sufficient from federal funds to recognize the value of food stamps.

Item 12. In the fiscal year ending June 30, 2007, the carry-forward and reappropriation of unexpended appropriations for major maintenance,

authorized in Section 2, Item 1, of Chapter 963, Public Acts of 2006, shall be subject to approval by the Commissioner of Finance and Administration based upon the availability of revenues and reserves in the general fund at June 30, 2007.

Item 13. The appropriations made in Section 1, Title III-22, Items 25 and 26, of this act to the U.T. Center for Business and Economic Research are reimbursement for research assistance to the Department of Finance and Administration (\$125,000) and for services delivered under the state data contract with the U.S. Census Bureau (\$40,000).

Item 14. The Commissioner of Finance and Administration is hereby authorized to establish a reserve account for Community Services Agency (CSA). If any CSA ceases to operate, any fund balances may be deposited to this account. There is hereby appropriated a sum sufficient from the reserve account to provide for outstanding obligations of any CSA or the ongoing operational cost of any CSA. Disbursement from this fund is subject to the approval of the Commissioner of Finance and Administration.

Item 15. In the fiscal year ending June 30, 2008, there is appropriated a sum sufficient to the Department of Finance and Administration from the reserve for the State Health Planning Division.

Item 16. From the funds appropriated by this act, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient to the Department of General Services, Division of Motor Vehicle Management Internal Service Fund for the acquisition of motor vehicles.

Item 17. In the fiscal year ending June 30, 2008, the proceeds from the sale of surplus property assigned to General Services, Property Management, may be carried forward in a reserve into the subsequent fiscal year and is hereby reappropriated. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item 18. The appropriation made in Section 1, Title II, Item 6, of this act, for Civil Legal Representation shall be adjusted to an amount equal to the revenue collected in the fiscal year ending June 30, 2007, from the earmarked litigation tax levied pursuant to Tennessee Code Annotated, Section 67-4-602(g) and Section 16-3-808.

In addition to the preceding appropriation, there is hereby appropriated a sum sufficient not to exceed the revenue collected in the fiscal year ending June 30, 2007, from the earmarked bail bond tax levied pursuant to Tennessee Code Annotated, Section 67-4-806, for the purpose of developing and providing continuing education for professional Bail Bonding Agents and providing civil legal representation to low-income Tennesseans.

Item 19. Notwithstanding the provisions of Section 36, Item 3 of Chapter 963, Public Acts of 2006, the unexpended balance of the appropriations in Section 1, Title II, Item 19, Council of Juvenile and Family Court Judges, shall revert to the general fund at June 30, 2007.

Item 20. In the fiscal years ending June 30, 2007 and June 30, 2008, any unexpended departmental revenue received by the Ethics Commission shall not revert to the general fund, and are hereby reappropriated to be expended in the subsequent fiscal year.

Item 21. In the fiscal year ending June 30, 2007, any unexpended funds from the non-recurring appropriations made in Section 38 of Chapter 963, Public Acts of 2006, for ethics legislation shall not revert to the general fund, and are hereby reappropriated in the fiscal year beginning July 1, 2007.

Item 22. There is appropriated to the Department of the Treasury a sum not to exceed \$204,400 from the Criminal Injuries Compensation Fund for grants to the District Attorneys General for domestic violence prevention and drug enforcement activities authorized under Tennessee Code Annotated, Section 29-13-116.

Item 23. In the fiscal year ending June 30, 2007, the sum of \$5,000,000 shall revert to the general fund from the appropriation made to the Department of Finance and Administration in Section 58, Item 2 for the Cover Tennessee program.

Item 24. In the fiscal year ending June 30, 2007, the sum of \$7,000,000 shall revert to the general fund from the appropriation made to the Department of Education in Section 59, Item 1 of Chapter 963, Public Acts of 2006, to expand the Coordinated School Health Program.

Item 25. In the fiscal years ending June 30, 2007 and June 30, 2008, any unexpended burial fees and federal burial grant funds received by the Department of Veterans Affairs shall not revert to the general fund, and are hereby reappropriated to be expended in the subsequent fiscal year.

Item 26. In the fiscal years ending June 30, 2007 and June 30, 2008, there are hereby appropriated sums sufficient to the Department of Correction from the reserves for supervision and rehabilitation fees, pursuant to Tennessee Code Annotated, Section 40-28-203(c).

Item 27. From the appropriations made in Section 1, Title III-8, to the Department of Economic and Community Development, the Commissioner of Finance and Administration is authorized to make transfers to recognize administrative reorganizations and to adjust authorized positions, federal aid, and other departmental revenue accordingly.

Item 28. In the fiscal year ending June 30, 2007, there are hereby appropriated sums sufficient in amounts equal to the unexpended

balances of prior year accrued liabilities in the following education programs: a) Safe Schools Act of 1998; b) Coordinated School Health Program; and c) State testing programs. The appropriations shall not revert at June 30, 2007, but shall be carried forward and are hereby reappropriated in the fiscal year beginning July 1, 2007.

Item 29. In the fiscal year ending June 30, 2007, there are hereby appropriated sums sufficient from the unexpended balances of prior year accrued liabilities for the Special Schools and the Tennessee Infant Parent Services School. The Commissioner of Finance and Administration shall determine the amounts of appropriations to be established pursuant to the requirements of Tennessee Code Annotated, Section 49-50-1002(b)(2). These appropriations are in addition to appropriations made to the Department of Education in Section 1, Title III-9 of the 2006 Appropriations Act.

Item 30. Any of the funds previously appropriated to the Department of Education for the ConnecTN project, TEN Operations and 21st Century programs which are carried forward at June 30, 2007, pursuant to Section 36, Item 1 of this act, are hereby reappropriated to the Accountability and Assessment program in the fiscal year beginning July 1, 2007.

Item 31. In the fiscal year ending June 30, 2008, there is hereby appropriated a sum sufficient from the revenues and reserves of the Cemetery Consumer Protection Fund pursuant to Tennessee Code Annotated, Section 46-1-105.

Item 32. In the fiscal years ending June 30, 2007, and June 30, 2008, there are appropriated sums sufficient to the Uninsured Employers Fund program from available revenues and reserves pursuant to Tennessee Code Annotated, Section 50-6-801.

Item 33. In the fiscal years ending June 30, 2007, and June 30, 2008, there are appropriated sums sufficient to the Tennessee Occupational Safety and Health Administration program from available revenues and reserves pursuant to Tennessee Code Annotated, Title 50, Chapter 6, Part 4.

Item 34. In the fiscal year ending June 30, 2007, the appropriation made to the Second Injury Fund in Section 1, Title III-13 shall not revert to the general fund and is hereby reappropriated to be expended in the subsequent fiscal year.

Item 35. In the fiscal years ending June 30, 2006, and June 30, 2007, there are hereby appropriated sums sufficient to the Tennessee Bureau of Investigation from the revenues and reserves available for conducting background checks on the purchases of firearms pursuant to Tennessee Code Annotated, Section 39-17-1316.

Item 36. In the fiscal year ending June 30, 2008, any unexpended revenues received for operation of the water treatment plant at the Taft

Youth Development Center shall not revert to the general fund, and are hereby reappropriated to be expended in the subsequent fiscal year.

Item 37. The appropriation made in Section 1, Title III-22, Item 7, Miscellaneous Appropriations, for Homeland Security Emergency Fund shall not revert to the general fund balance at June 30, 2008.

Item 38. In the fiscal year ending June 30, 2008, any unexpended state appropriations made for homeland security purposes may be reserved to be carried forward to the next fiscal year. Said reserve is subject to the availability of revenue and to the approval of the Commissioner of Finance and Administration.

Item 39. The departmental revenues appropriated in this act from federal homeland security grant programs are subject to the following provisions:

(a) The allotment of these funds is subject to approval of the Commissioner of Finance and Administration, and the distribution among state and local agencies shall be subject to approval of or under procedures of the state Homeland Security Council.

(b) The Commissioner of Finance and Administration is hereby authorized to reallocate appropriations within the affected state agencies and to reallocate homeland security appropriations among the affected agencies for the purpose of providing the required state match to these and other federal homeland security and bioterrorism grants; to adjust position authorizations among affected departments, offices, and programs for that purpose; and to adjust federal and other departmental revenue estimates accordingly. The commissioner shall file any such reallocations or adjustments with the Fiscal Review Committee and the Office of Legislative Budget Analysis.

Item 40. From the appropriations made in this act and in Chapter 963, Public Acts of 2006, to the Department of Education in Section 1, Title III-9, Item 2.2(d), Early Intervention Services, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient to the Department of Children's Services for targeted case management services.

Item 41. From the funds appropriated in Section 1, Titles III-2 through III-30 and in Section 4, Titles III-2 through III-26 of this act, the Commissioner of Finance and Administration is authorized to establish positions and to transfer positions to provide staff for the Enterprise Resource Planning (ERP) systems development project.

Item 42. In the fiscal years ending June 30, 2007, and June 30, 2008, any unexpended revenues received by the Department of General Services for conducting conferences for the Governor's Office of Diversity

Business Enterprise shall not revert to the general fund and are hereby reappropriated to be expended in the subsequent fiscal year.

Item 43. In the fiscal years ending June 30, 2007, and June 30, 2008, any unexpended state appropriations, not to exceed ten percent (10%) of the total appropriated funds, made for the Tennessee Early Intervention Services program may be reserved to be carried forward to the next fiscal year. Said reserve is subject to the approval of the Commissioner of Finance and Administration.

Item 44. From the unexpended appropriations for the Geier Desegregation Settlement which are carried forward in a reserve at June 30, 2007, an allocation may be made to the debt service fund for the purpose of canceling a portion of the bond authorization in Chapter 852, Public Acts of 2002, during the 2007-2008 fiscal year.

Item 45. In addition to the appropriation made in Section 1, Title III-29, Item 3, for Highway Maintenance, and Item 5.5 for State Highway Construction in Chapter 963, Public Acts of 2006, there is further appropriated such amount as the Commissioner of Finance and Administration shall determine is available from tax revenues allocated to the highway fund and from the highway fund balance.

Item 46. Subject to the passage of Senate Bill No. 333/House Bill No. 465, there is hereby appropriated from the earnings of the funds of the Tennessee Consolidated Retirement System a sum sufficient to the Tennessee Department of Treasury for implementation of project CONCORD; provided, however, that said sum sufficient shall be subject to the approval of the Commissioner of Finance and Administration. The State Treasurer shall file a request to establish such sum sufficient with the Commissioner of Finance and Administration and the Chair and Vice Chair of the Council on Pensions and Insurance. The Commissioner of Finance and Administration shall not act on such request until in receipt of a letter from the Chair and Vice Chair of the Council on Pensions and Insurance acknowledging receipt of the State Treasurer's request. Within the appropriation approved pursuant to this item, the State Treasurer, with the concurrence of the Speaker of the Senate and the Speaker of the House of Representatives, is authorized to establish positions needed to effectuate the purposes of Senate Bill No. 333/House Bill No. 465. The State Treasurer shall provide a written quarterly status report to the Council on Pensions and Insurance on the CONCORD project. No cost associated with the on-going maintenance of project CONCORD, including the personnel necessary for maintaining such improvements, shall be charged to or paid pursuant to the authority granted in this item.

Item 47. Subject to the approval of the State Treasurer and the Commissioner of Finance and Administration, any overcollections of Treasurer's Earnings and net amount of revenue from the unclaimed property fund exceeding the amount budgeted shall be utilized to meet the obligations of the program created in Tennessee Code Annotated, Title 49, Chapter 7, Part 8.

Item 48. In the fiscal year ending June 30, 2007, the Comptroller of the Treasury is authorized to carry forward a sum not to exceed \$200,000 for a study of charter schools pursuant to the requirements of T.C.A., Section 49-13-128, and such sum may be transferred to the appropriate program in the agency. This carry-forward and reappropriation of funds is subject to approval of the Commissioner of Finance and Administration.

Item 49. In the fiscal year ending June 30, 2007, the Department of Economic and Community Development is authorized to carry forward a sum not to exceed \$95,000 to increase the micro loan fund for growing small and diversity businesses, and such sum may be transferred to the appropriate program in the agency. This carry-forward and reappropriation of funds is subject to approval of the Commissioner of Finance and Administration.

Item 50. In the fiscal year ending June 30, 2007, funds appropriated to the Department of Human Services for the purpose of Child Support Enforcement which remain unobligated and unexpended may be carried forward in reserve to be expended for the replacement of the TCSES information system. This carry-forward and reappropriation of funds is subject to approval of the Commissioner of Finance and Administration.

Item 51. In the fiscal year ending June 30, 2007, the Department of Mental Health and Developmental Disabilities, Community Mental Health Services, is authorized to carry forward in a reserve a sum sufficient from the \$4,000,000 appropriation (non-recurring) to provide funding for transition and operational costs under the new integrated MCO/BHO model in Middle Tennessee. This carry-forward and reappropriation of funds is subject to approval of the Commissioner of Finance and Administration.

Item 52. From the appropriation in Section 59, Item 1, of Chapter 963, Public Acts of 2006, to the Department of Education for the Coordinated School Health program, the Commissioner of Finance and Administration is authorized to carry forward in a reserve the unexpended balance of the appropriation, less \$7,000,000 which shall revert to the general fund at June 30, 2007. This carry-forward and reappropriation of funds is subject to approval of the Commissioner of Finance and Administration.

Item 53. In the fiscal years ending June 30, 2007, and June 30, 2008, the Commissioner of Finance and Administration is authorized to carry forward the unexpended balance of the appropriations to the Board of Probation and Parole, Community Corrections, in Chapter 963, Public Acts of 2006, and in this act. The carry-forward is authorized pursuant to T.C.A., Section 40-36-304(c)(1).

Item 54. In the fiscal years ending June 30, 2007, and June 30, 2008, the Commissioner of Finance and Administration is authorized to

carry forward the unexpended balances of the appropriations to the Judicial Branch, Administrative Office of the Courts, to defray expenses of serving the general sessions courts and the General Sessions Judges' Conference. This carry-forward is authorized pursuant to T.C.A., Section 16-15-5007 and Section 67-4-606(a)(B)(9).

Item 55. In the fiscal year ending June 30, 2008, there is hereby appropriated the sum of \$62,800 from dedicated revenues and \$62,800 from departmental revenues to the Department of Financial Institutions to support post-secondary and adult education financial literacy programs. This item is subject to approval of the Commissioner of Finance and Administration.

Item 56. In the fiscal years ending June 30, 2007, and June 20, 2008, there is hereby appropriated a sum sufficient from departmental revenues to the Tennessee Bureau of Investigation from fees collected for conducting records and background checks. This appropriation is subject to approval of the Commissioner of Finance and Administration.

Item 57. In addition to the appropriation made in Section 4, Title III-2, Item 1.5, to the Tennessee Advisory Commission on Intergovernmental Relations, there is hereby appropriated the sum of \$360,800 for operational purposes from the revenues authorized by Tennessee Code Annotated, Section 67-9-102.

Item 58. From the appropriations to the Department of Commerce and Insurance in Section 1, Title III-11 of Chapter 963, Public Acts of 2006, the Commissioner of Finance and Administration is authorized to make a sum sufficient appropriation transfer to the Fire Service and Codes Enforcement Academy.

Item 59. From the funds reverting from higher education to the general fund at June 30, 2007, the sum of \$500,000 is appropriated to the Tennessee Higher Education Commission, THEC Grants, for a grant to LeMoyne-Owen College; provided that this appropriation is contingent upon a certification to the Commissioner of Finance and Administration that the City of Memphis has granted \$1,000,000 and Shelby County has granted \$500,000 to the college; provided further that the appropriation is contingent upon submission of a plan for use of the funds by the college and upon approval of the plan by the Tennessee Higher Education Commission, the Commissioner of Finance and Administration, and the Comptroller of the Treasury; and provided further that the college agrees to comply with the provisions of Section 55 of this act.

Item 60. From the funds reverting to the general fund at June 30, 2007, there is appropriated a sum sufficient to the Comptroller of the Treasury for the sole purpose of contracting for a study on allocation of judicial resources, the current methodology of the weighted case load study, methods of reallocating resources between judicial elections and



the best criteria to be used in judicial redistricting for the most efficient allocation of judicial resources.

Item 61. From the funds reverting to the general fund at June 30, 2007, there is appropriated the sum of \$250,000 (non-recurring) for a grant to the Nashville YWCA for the domestic violence center.

#### SECTION 42.

(a) Notwithstanding any provision of the law to the contrary, no law of general application which imposes increased expenditure requirements on cities and counties in excess of one million dollars (\$1,000,000.00) shall take effect unless the state share of the cost of such law is specifically appropriated by the provisions of this act.

(b) From the growth in state-shared taxes apportioned to cities and counties, a sum sufficient hereby is appropriated to fund the state share of the cost of any law of general application which requires, without local discretion, that incorporated municipalities or county governments increase expenditures as a direct consequence of passage of any general law.

SECTION 43. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. It is the legislative intent to recognize a base recurring over-appropriation in the general fund of \$76,600,000 in 2005-2006 and \$76,600,000 in 2006-2007.

Item 2. In the fiscal year ending June 30, 2007, there shall be reserved or designated a sum in the general fund balance to provide for non-recurring appropriations and other appropriations intended to be funded in the 2007-2008 fiscal year from the general fund balance at June 30, 2007. The Commissioner of Finance and Administration shall determine the amount to be reserved or designated.

Item 3. Under the provisions of Tennessee Code Annotated, Section 55-6-107(a), the sum of \$6,500,000 shall be allocated to the general fund for the cost of issuing motor vehicle registration plates in the fiscal year ending June 30, 2008.

Item 4. Unexpended appropriations in an amount to be determined by the Commissioner of Finance and Administration shall be transferred from the debt service fund to the general fund in the fiscal year ending June 30, 2007.

Item 5. In the fiscal year ending June 30, 2007, tax revenues allocated to the debt service fund, including motor vehicle title fees, in excess of \$310,600,000 shall be transferred to the general fund. If said allocation to the debt service fund is less than \$310,600,000, then the allocation of excise tax revenues to the debt service fund shall be

increased in an amount to provide the allocation of \$310,600,000 to the debt service fund.

Item 6. In the fiscal year ending June 30, 2007, the allocation of motor vehicle title fees to the debt service fund shall be the lesser of \$2,700,000 or the sum generated by the \$1.50 fee under the provisions of Tennessee Code Annotated, Section 55-6-101(a)(1).

Item 7. It is the legislative intent that any required reversion from higher education appropriations to the general fund balance at June 30, 2007, be drawn from the unexpended balance in the Tennessee Higher Education Commission, the Tennessee Student Assistance Corporation, and from Tennessee Student Assistance Awards, in an amount not to exceed \$1,700,000.

Item 8. In the fiscal year ending June 30, 2007, the appropriations made in Section 1, Title III-17 of the 2006 Appropriations Act to the Department of Human Services to fund programs or services for temporary assistance shall be reduced in an amount equal to the unexpended and unobligated balances of the appropriations. The reductions shall be made to recognize overappropriation savings in programs or services for temporary assistance in the fiscal year ending June 30, 2007.

Item 9. From the Appropriation made in Section 1, Title III-16 to the Department of Health for a comprehensive tobacco-use prevention and cessation initiative, the commissioner of Finance and Administration is authorized to make allocations to the Department of Education and TennCare for implementation of the initiative.

Item 10. The appropriation made in Section 1, Title III-1 to the Attorney General and Reporter in the amount of \$100,000 to fund an open-records ombudsman shall be transferred to the Comptroller of the Treasury.

SECTION 44. There is hereby appropriated a sum sufficient from the State Office Buildings and Support Facilities Revolving Fund to provide for expenditures authorized under Title 9, Chapter 4, Part 9, of the Tennessee Code Annotated. There is appropriated a sum sufficient to the revolving fund in recognition of the lease cost of space for which recovery is not in the state's best interest. The Commissioner of Finance and Administration is authorized to allot, from the amount carried forward under Tennessee Code Annotated, Title 9, Chapter 4, Part 9, to provide funding for state office buildings and support facilities, and is further authorized to make appropriation transfers between the revolving fund and state departments and agencies.

SECTION 45. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. There is hereby created a Capital Projects Account in the Office of Information Resources for the administration of the Information Systems Capital Projects Budget.

This account is established to provide for:

(a) Implementation of the statewide Management Information Systems Plan;

(b) Ability to separate the operational budget of the Office of Information Resources and the system development projects contained in the MIS Plan; and

(c) Financial control of the system development projects, including equipment replacement for the various agencies of state government.

Item 2. There is hereby authorized the transfer of those sums appropriated for Information Systems Capital Projects in Sections 1 and 4 and in Section 36, Item 1, of this act. Federal aid funds and other departmental revenues shall be adjusted accordingly to reflect the transfer of state appropriations.

Item 3. The Commissioner of Finance and Administration is authorized to transfer to the Capital Projects Account any appropriations made in Sections 1 and 4 of this act resulting from operating savings derived from implementation of information systems funded through this section.

Item 4. From the appropriations made for systems development and other data processing activities in this act and other acts of the legislature, the Commissioner of Finance and Administration is authorized to establish and charge the costs of information systems analyst positions and other data processing positions to said appropriations. The Commissioner of Finance and Administration is further authorized to transfer between departments and agencies existing information systems analysts positions, other data processing positions and the funding provided in this act for transferred positions. This appropriation is subject to approval by the Information Systems Council.

Item 5. Expenditure of any funds, subject to the jurisdiction of the Information Systems Council, appropriated for systems development, the purchase of computer software or the purchase of computer hardware shall be subject to the policies of such Council.

Item 6. From the appropriations made for information systems activities in this act and other acts of the legislature, the Commissioner of Finance and Administration is authorized to transfer from professional services to payroll amounts budgeted for contractors. Additionally, the Commissioner of Finance and Administration is authorized to increase authorized positions in order to replace contractors with state employees.

Item 7. The Commissioner of Finance and Administration is authorized to approve an adjustment in rates charged by the Office of Information Resources and to reserve any funds needed to rebate savings to the federal government and to reallocate state appropriations between departments and to adjust federal aid and other departmental revenue accordingly. Any adjustment of rates or reserve of funds pursuant to the provisions of this act shall be reported to the Information Systems Council.

Item 8. The Commissioner of Finance and Administration shall have the authority to allocate savings generated from rate reductions from Office of Information Resources Services to support modifications needed to be made to existing applications resulting from technology obsolescence or product nonperformance to extend the life of a system.

#### SECTION 46.

Item 1. The revenues allocated under the provisions of Tennessee Code Annotated, Title 55, Chapter 4, Part 2 – Special License Plates, are hereby appropriated in a sum sufficient amount as provided in Part 2.

Item 2. From the motor vehicle registration fees imposed pursuant to Tennessee Code Annotated, Title 55, Chapter 4, Part 132, there is hereby appropriated a sum sufficient in the fiscal year ending June 30, 2008, to be used solely for the development, acquisition, and updating of a computerized titling and registration system, and for the operation of the titling and registration system. The Commissioner of Finance and Administration is authorized to allocate the funds to implement the intent of the act.

SECTION 47. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. From state revenues and other funds available to the general fund in excess of requirements for the fiscal year ending June 30, 2007, the Commissioner of Finance and Administration shall establish the Revenue Fluctuation Reserve in such amount as may be available under the provisions of Tennessee Code Annotated, Section 9-4-211. Provided, it is the legislative intent that the Revenue Fluctuation Reserve be set at a level of not less than \$542,900,000 on June 30, 2007.

Item 2. From state revenues and other funds available to the general fund in excess of requirements for the fiscal year ending June 30, 2008, the Commissioner of Finance and Administration shall establish the Revenue Fluctuation Reserve in such amount as may be available under the provisions of Tennessee Code Annotated, Section 9-4-211. Provided, it is the legislative intent that the Revenue Fluctuation Reserve be set at a level of not less than \$750,000,000 on June 30, 2008.

SECTION 48. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. The Commissioner of Finance and Administration is authorized to transfer all federal and state health care funds, except those funds appropriated to support the State Group Insurance Program, the Local Education Insurance Program and the Local Government Health Insurance Program, to the TennCare Program for the purpose of implementing any program approved by waiver, state plan amendment and/or state and federal legislation pursuant to the provisions of health care services to Tennesseans designated as eligible by TennCare. In addition, any premiums collected by the TennCare Program are explicitly authorized to be appropriated to the program for the purpose of carrying out the provisions of TennCare.

The Commissioner of Finance and Administration is further authorized to transfer state funds and positions, as required, between TennCare and Mental Health Services; Mental Retardation Services; other Health Services; Children's Services; Human Services; and Commerce and Insurance, Division of TennCare Oversight.

Item 2. For fiscal year 2007-2008, in addition to all other appropriations to the TennCare Program, the Commissioner of Finance and Administration is authorized to use certified public expenditures and/or intergovernmental transfers from all government-related TennCare service providers and local governments for the purpose of matching funds under federal law for the TennCare Program. The use of the certified public expenditures and/or intergovernmental transfers shall be in accordance with federal law and regulations.

Item 3. Subject to the availability of funding at June 30, 2007, the Commissioner of Finance and Administration is authorized to carry forward into the fiscal year beginning July 1, 2007, any unexpended balances of appropriations made under Chapter 963, Public Acts of 2006, for TennCare and such funds as are carried forward are hereby reappropriated to be expended in the 2007-2008 fiscal year.

Item 4. The Commissioner of Finance and Administration is hereby authorized to expend or lend from the funds appropriated such sums as the Commissioner deems appropriate to assist TennCare HMO(s) in their operations and obtain services from contractors, consultants, and other third parties to give such assistance, such being determined by the General Assembly to be for a public purpose. The Commissioner shall provide prompt notification to the Speakers of the Senate and House of Representatives and to the Chairs of the Finance, Ways and Means Committees regarding any such expenditure or loan with complete details of the amounts and recipients involved in such transactions.

Item 5. The Commissioner of Finance and Administration is hereby authorized to adjust revenue estimates and related expenditures

in Section 4, Title III-25, related to premiums and drug rebates for the purpose of carrying out the provisions of TennCare.

Item 6. The Commissioner of Finance and Administration is authorized to impose service limitations, to reduce optional eligibility categories, mandate standardized reimbursement levels, and/or reduce, or limit, optional benefits in the TennCare Program as necessary to control program expenditures in the fiscal year ending June 30, 2007, and June 30, 2008.

Item 7. There is hereby appropriated to the TennCare program, the sum of \$5,000,000 from the TennCare reserve for the sole purpose of providing reimbursement grants to upgrade medical equipment at Safety Net hospitals with a percentage of TennCare days exceeding 35%. The Bureau of TennCare shall approve equipment upgrade proposals prior to purchase.

Item 8. There is hereby appropriated to the TennCare program, a sum not to exceed \$8,500,000 from the TennCare reserve for the sole purpose of funding a non-recurring pass-through reimbursement to level I and level II nursing facilities to offset the effect of the minimum wage increase. This appropriation is subject to the implementation of a federal minimum wage increase.

#### SECTION 49.

Item 1. From the appropriation made in Section 1, Title III-22, Item 14, for a state employee salary increase, it is the legislative intent to provide a three percent (3%) across-the-board salary increase effective July 1, 2007, for each state employee and to adjust the appropriate salary ranges in a like manner. The salary increase is not applicable to employees in positions which come under the provisions of a statutorily mandated pay plan; provided, however, that employees who come under the provision of a statutorily mandated plan shall be paid in accordance with the provisions of such statutory plan.

Item 2. It is the legislative intent that the across-the-board salary increase shall apply to all state employees unless an employee is denied on the basis of unsatisfactory work performance, which shall be set forth in a statement from the head of the department or agency detailing the circumstances surrounding the denial, which shall be sent to the affected employee. The person shall have the opportunity to respond either orally or in writing to the head of the department or agency or their designee. If the denial is sustained, such letter must be filed with the Commissioner of Personnel. Provided, however, that employees who are compensated at range minimums shall receive any increase caused by the adjustment of the range minimums, notwithstanding the provisions of this item to the contrary.

Item 3. (a) In addition to the appropriations to the Department of Safety in Section 1, Title III-20, and the Department of Commerce

and Insurance in Section 1, Title III-12, there is appropriated to the Department of Safety the additional sum of \$2,265,200 for salary survey raises, including \$2,260,900 from the general fund and \$4,300 from dedicated funds; and to the Department of Commerce and Insurance, Tennessee Law Enforcement Training Academy, the sum of \$57,600 from the general fund. It is the legislative intent that the survey portion of the commissioned officer pay plan in the Department of Safety and the Department of Commerce and Insurance, as referenced in Tennessee Code Annotated, Section 4-7-205, shall be implemented at 100% of the value of the current survey effective July 1, 2007.

(b) In addition to the appropriations to the Tennessee Wildlife Resources Agency (TWRA) in Section 1, Title III-6, there is appropriated from TWRA funds the sum of \$1,631,600 for salary step and survey increases. It is the legislative intent that the survey portion of the Tennessee Wildlife Resources Agency pay plan shall be implemented at 100% of the value of the current survey effective July 1, 2007.

Item 4. (a) The appropriation made in Section 1, Title III-22, Item 15, for Higher Education Salary Increase, shall be allocated to the higher education systems to provide a salary increase effective July 1, 2007. It is the legislative intent that salary increases pursuant to this appropriation and from fees and institutional revenues shall be across-the-board to all higher education employees in an equal amount or percentage increase. Prior to the distribution of these funds, the executive director of the Tennessee Higher Education Commission, the President of the University of Tennessee system and the Chancellor of the Board of Regents shall submit to the Speaker of the Senate, the Speaker of the House of Representatives, the Chairs of Finance, Ways and Means Committees of the Senate and House of Representatives and the Office of Legislative Budget Analysis a plan for eligibility and distribution of these funds.

(b) It is the legislative intent that the appropriation of \$22,000,000 in Section 1, Title III-22, Item 15, for Higher Education Salary Increase, and the sum of \$11,000,000 in Section 1, Title III-10, Higher Education, for the academic formula and non-formula operating improvement provide a total of \$33,000,000 for the state appropriation share of salary improvement.

Item 5. The appropriation made in Section 1, Title III-22, Item 16, is made to address the issue of State Employee Salary Compression. Prior to allocating this appropriation, the Commissioner of Personnel and the Commissioner of Finance and Administration, after consulting with the Tennessee State Employees Association, shall submit to the Speaker of the Senate; the Speaker of the House of Representatives; the Chairmen of the Finance, Ways and Means Committees of the Senate and the House of Representatives; and the Office of Legislative Budget Analysis a

plan for allocation of this appropriation to the state agencies. This plan shall be in accordance with guidelines set forth in the "Joint Study of Salary Compression" dated October 28, 2005, that was prepared by the Tennessee State Employees Association and the Tennessee Department of Personnel.

SECTION 50. From the appropriation in Section 1, Title III-11, Item 5, Regulatory Boards, an amount of \$200,000 is earmarked from the Board of Architectural and Engineering Examiners revenues or reserve funds for disbursement to accredited interior design programs, accredited architectural programs, accredited engineering programs and accredited landscape architectural programs of state-funded colleges and universities, after application to and subject to approval by the Board of Architectural and Engineering Examiners. The Board will develop guidelines for application, award and disbursement of the funds appropriated herein.

SECTION 51. From the appropriations made in Section 1 and Section 4 of this act, the Commissioner of Finance and Administration is authorized to transfer appropriation savings resulting from energy management projects to the major maintenance accounts of the departments and agencies. These funds may be used to pay debt service on associated bonds, to reimburse the general fund for appropriations made for energy management capital projects, to pay energy management fees, and to fund energy projects approved by the State Building Commission.

#### SECTION 52.

Item 1. From the Lottery for Education Account, the After-School Programs Special Account, and other accounts and sub-accounts established pursuant to Tennessee Code Annotated, Title 4, Chapter 51, the Tennessee Education Lottery Implementation Law, sums sufficient hereby are appropriated for the higher education scholarship programs and other education programs authorized by that law and by Tennessee Code Annotated, Title 49, Chapter 4, Part 9, relative to higher education scholarships; Title 49, Chapter 6, Part 1, relative to early childhood education and pre-kindergarten programs; Title 49, Chapter 6, Part 7, relative to after-school educational programs; Senate Bill No. 1086/House Bill No. 1014, relative to after school programs, if such bill becomes a law and Senate Bill No. 611/House Bill No. 653, relative to postsecondary financial assistance, if such bill becomes a law. The appropriations from these sources for pre-kindergarten and early childhood education programs pursuant to Title 49, Chapter 6, Part 1, shall not exceed \$25,000,000 and for after-school programs pursuant to Title 49, Chapter 6, Part 7, shall not exceed the balance available in the After-School Programs Special Account at June 30, 2007, and such balance hereby is appropriated for expenditure in the fiscal year beginning July 1, 2007; provided, that in both cases the appropriation is contingent upon the availability of funds in the proper account and upon the availability of excess funds from net lottery proceeds, after the funding of higher education scholarships. The availability of excess funds shall be determined by the Commissioner of Finance and Administration prior to



the distribution of any excess funds. A copy of such determination shall be filed with the Chairs of the Select Committee on the Tennessee Education Lottery Corporation and the Office of Legislative Budget Analysis. From the Lottery for Education Account, a sum sufficient is appropriated to the Comptroller of the Treasury for a longitudinal pre-kindergarten study.

Item 2. Higher Education Lottery Scholarship award amounts for the 2007-2008 academic year shall be:

(a) \$4,000 for an eligible student under the HOPE scholarship award pursuant to § 49-4-914(a);

(b) \$2,000 for an eligible student under the HOPE scholarship award pursuant to § 49-4-914(b);

(c) \$1,500 for an eligible student under the ASPIRE need-based supplemental award pursuant to § 49-4-915;

(d) \$1,000 for an eligible student under the General Assembly Merit Scholar supplemental award pursuant to § 49-4-916;

(e) \$2,000 for an eligible student under the Wilder-Naifeh Technical Skills Grant pursuant to § 49-4-921;

(f) Pursuant to the provisions of Section 49-4-920, the award amount for an eligible student under the Tennessee HOPE access grant shall be \$2,750 at four-year schools and \$1,750 at two-year schools; and

(g) The award amount for an eligible student under the Tennessee HOPE foster child tuition grant shall be determined under the provisions of Section 49-4-933.

Item 3. From interest earnings attributable to the lottery for education account, there is appropriated the sum of \$10,000,000 to the Tennessee Student Assistance Corporation for the sole purpose of supplementing Tennessee student assistance awards.

SECTION 53. From the appropriation made in Section 4 of this act, to the Department of Commerce and Insurance, Division of Insurance, it is the legislative intent to recognize base level funding of \$7,479,700 in the fiscal year ending June 30, 2008. It is further the legislative intent that expenditures in excess of the \$7,479,700 base level shall be funded from the increase in revenues generated by Chapter 333, Public Acts of 2001, which established funding appropriated to the Division of Insurance in the fiscal year ending June 30, 2001, as the base level.

SECTION 54. There are appropriated all tax revenues which are allocated by statute in accordance with the provisions of such statutes. The

provisions of this section shall apply to all statutes becoming a law prior to July 1, 2008.

SECTION 55. Notwithstanding any provision of this act to the contrary, a direct appropriation to a non-governmental agency or entity shall not be disbursed until the recipient has filed with the head of the agency through which such disbursement is being made a plan specifying the proposed use of such funds and the benefits anticipated to be derived therefrom. As a prerequisite to the receipt of such direct appropriation, the recipient shall agree to provide to the agency head, within ninety (90) days of the close of the fiscal year within which such direct appropriation was received, an accounting of the actual expenditure of such funds including a notarized statement that the report is true and correct in all material respects; provided, however, that the head of the agency through which such disbursement is being made may require, in lieu of the accounting as provided above, an audited financial statement of the non-governmental agency or entity. A copy of such accounting or audit, as the case may be, shall be filed with the Office of the Comptroller of the Treasury.

#### SECTION 56.

Item 1. The provisions of this item shall take effect upon becoming law, the public welfare requiring it.

(a) In the fiscal years ending June 30, 2007, and June 30, 2008, the unexpended balances of health care safety net appropriations in Public Acts of 2005, Chapter 503, and in Public Acts of 2006, Chapter 963, and in this act may be carried forward and hereby are reappropriated for expenditure in the succeeding fiscal year, subject to approval of the Commissioner of Finance and Administration. Provided, however, that payroll savings from Department of Health positions established for the health care safety net shall revert to the general fund.

(b) From the health care safety net reserves carried forward at June 30, 2007, the Commissioner of Finance and Administration is authorized to transfer funds between health care safety net programs and to Cover Tennessee Health Care Programs.

Item 2. All appropriations in this act for the Access Tennessee Program may be used for matching federal funds available, through waiver or otherwise, for expanding premium assistance, subject to the approval of the Commissioner of Finance and Administration.

Item 3. In addition to the appropriations elsewhere in this act, sums sufficient hereby are appropriated to the appropriate programs from the revenues and reserves of CoverTN, AccessTN, Cover Rx, CoverKids, Project Diabetes, and health care safety net programs.

Item 4. In the fiscal year ending June 30, 2008, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient

not to exceed \$5,000,000 from the TennCare reserve to the CoverTN health care programs.

Item 5. In the fiscal year ending June 30, 2007, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient, not to exceed \$9,500,000, from the TennCare reserve to the Division of Mental Retardation Services for systems development purposes.

SECTION 57. In addition to the appropriations in Section 1, Title III-9, Department of Education, the following amounts hereby are appropriated to the Department of Education, and the Commissioner of Finance and Administration is authorized to adjust departmental revenues and authorized positions accordingly:

Item 1. To the State Board of Education, the sum of \$97,000, including \$77,000 recurring and \$20,000 non-recurring for implementation of Senate Bill No. 570/House Bill No. 472, relative to education accountability. One full-time position is authorized. This appropriation is subject to the cited bill becoming a law.

Item 2. For the Governor's Schools program the sum of \$450,000, to be allocated as follows: (a) emerging technologies school at Tennessee Technological University, \$180,000; (b) scientific models and data analysis school at East Tennessee State University, \$120,000; and (c) computational physics and applications school at Austin Peay State University, \$150,000.

Item 3. To the School for the Blind, the sum of \$335,500, including \$285,500 recurring and \$50,000 non-recurring and three full-time positions, for staffing needs and van replacement.

Item 4. For the Teach Tennessee and related programs, the sum of \$2,000,000 (non-recurring) to address teacher recruitment in specific shortage areas, especially math and science in hard-to-staff schools. It is the intent that this appropriation expand the current Teach Tennessee program; provide for teacher reservists, who participate in training and school teaching tours while maintaining other careers; provide for adjunct teachers, who participate in training and teach school part-time while maintaining other jobs; and provide a grant of \$150,000 for Teach for America in order to recruit recent college graduates and provide training and support for 100 teachers in hard-to-staff Memphis city schools.

Item 5. For K-4 math teachers professional development, the sum of \$2,000,000 (non-recurring) to be granted to Tennessee State University for such programs at historically black colleges and universities in Tennessee.

Item 6. To Grants-in-Aid, the sum of \$6,500,000 (non-recurring) for public television digital conversion, to be granted non-recurring as follows: (a) \$1,000,000 each to WDCN Nashville, WKNO Memphis,

WCTE Cookeville, WTCI Chattanooga, WLJT Martin and WSJK Knoxville; and (b) \$500,000 to WKOP Knoxville.

Item 7. (a) For the Tennessee Geographical Alliance, the sum of \$500,000 (non-recurring) as a grant to establish a K-12 geographic literacy endowment in conjunction with an equal donation from a National Geographic Society foundation grant, it being the legislative intent that interest earnings support the literacy program in the future.

(b) Provided, further, that from the appropriation in Section 1, Title III-9, to the Department of Education, an amount of \$30,000 in the base budget for a grant to the Tennessee Geographical Alliance hereby is designated as non-recurring.

Item 8. To Grants-in-Aid the sum of \$50,000 (non-recurring) to be granted to the Tennessee Historical Society for continued maintenance, enhancement, and expansion of the on-line edition of the Tennessee Encyclopedia of History and Culture.

Item 9. To Grants-in-Aid the sum of \$50,000 (non-recurring) to be granted to Tennessee History for Kids for operating and enhancing a Web site to provide Internet-based curriculum resources for instruction in Tennessee history.

SECTION 58. In addition to the appropriations in Section 1, Title III-10, Higher Education, the following amounts hereby are appropriated, and the Commissioner of Finance and Administration is authorized to allocate the amounts to the appropriate organizational units:

Item 1. To TSU Agricultural Research and Extension the sum of \$2,100,000, which together with the appropriation in Section 1, Title III-10 will provide the full \$4,100,000 match to federal 1890 land grant college appropriations.

Item 2. To East Tennessee State University College of Medicine the sum of \$1,400,000 for the energy costs agreement.

Item 3. To the Board of Regents the sum of \$150,000 for the Washington Center Internship program, providing for 30 internships in the nation's Capital in conjunction with other non-state sources.

Item 4. To UT Martin the sum of \$1,500,000 (non-recurring) for start-up costs of adult continuing education satellite programs in Ripley, Selmer, and Parsons.

Item 5. To the UT Agricultural Experiment Station the sum of \$200,000 (non-recurring).

SECTION 59. In addition to the appropriations in Section 1 of this act, except as otherwise provided herein, the following amounts hereby are

appropriated, and the Commissioner of Finance and Administration is authorized to allocate the appropriations to the appropriate organizational units and to adjust departmental revenues and authorized positions accordingly:

Item 1. To the Department of Correction, 1985 Sentencing Act, the sum of \$1,300 for the sole purpose of implementing Senate Bill No. 64/House Bill No. 8, relative to registration of sexual offenders from other states, if such bill becomes law.

Item 2. To the Board of Probation and Parole the sum of \$1,916,000 from the general fund, including \$1,890,900 recurring and \$25,100 non-recurring and 46 full-time positions, for implementation of GPS tracking requirements of Senate Bill No. 2235/House Bill No. 2314, Jessica's Law, subject to the bill becoming a law. There is further appropriated such sums as may be estimated from supervision fees.

Item 3. From the appropriation in Section 1, Title III-1, Item 8.1, Criminal Injuries Compensation, the sum of \$1,692,500 is appropriated for implementation of Senate Bill No. 724/House Bill No. 1188, relative to forensic medical exams in sexual assaults, subject to that bill and Senate Bill No. 2327/House Bill No. 2352, relative to litigation taxes reallocated to the criminal injuries compensation fund, both becoming law.

Item 4. To the Miscellaneous Appropriations the sum of \$1,118,000 for implementation of Senate Bill No. 332/House Bill No. 464, relative to public safety officers retirement and supplemental bridge benefit.

Item 5. To the District Attorneys General the sum of \$3,297,000, including \$3,139,000 recurring and \$158,000 non-recurring for the following purposes:

(a) For 43 full-time positions, including 32 assistant district attorneys and 11 secretaries, the sum of \$3,058,500, including \$2,900,500 recurring and \$158,000 non-recurring. The additional positions shall be allocated among the several judicial districts based upon need and other relevant factors. Such allocation shall be made by the executive director of the district attorneys general conference after consultation with the Comptroller of the Treasury and the administrative director of the courts. The executive director shall report the final allocation of such positions by judicial district to the Speakers of the Senate and the House of Representatives, the Chairs of the Senate and House Judiciary Committees and the Office of Legislative Budget Analysis on or before October 1, 2007.

(b) To maintain one existing full-time victim-witness coordination position in the 3rd judicial district (Greene, Hamblen, Hancock, and Hawkins counties) the sum of \$38,500 to replace expired federal grant funds. This appropriation is subject to

certification by the Commissioner of Finance and Administration that the grant has expired.

(c) For expert witness and interpreter fees, the sum of \$200,000.

Item 6. To the District Public Defenders the sum of \$2,445,000, including \$2,001,000 recurring and \$444,000 non-recurring for the following purposes:

(a) For 28 full-time positions, including 19 assistant public defenders, 3 investigators, and 6 secretaries, the sum of \$2,195,000, including \$2,001,000 recurring and \$194,000 non-recurring. The additional positions shall be allocated among the several judicial districts based upon need and other relevant factors. Such allocation shall be made by the executive director of the district public defenders conference after consultation with the Comptroller of the Treasury and the administrative director of the courts. The executive director shall report the final allocation of such positions by judicial district to the Speakers of the Senate and the House of Representatives, the Chairs of the Senate and House Judiciary Committees and the Office of Legislative Budget Analysis on or before October 1, 2007.

(b) For phone systems replacement, the sum of \$250,000 (non-recurring).

Item 7. To the Board of Probation and Parole the sum of \$3,834,300, including \$3,672,900 recurring from the general fund and \$161,400 non-recurring from the agency's supervision fee reserve, in order to establish 88 full-time positions necessary for caseload growth.

Item 8. To the Board of Probation and Parole, for eight full-time psychiatric social work positions, the sum of \$392,800, including \$388,100 recurring from the general fund and \$4,700 non-recurring from the agency's supervision fee reserve.

Item 9. To the Tennessee Bureau of Investigation, for a cyber-crime unit, the sum of \$1,079,100, including \$746,000 recurring and \$333,100 non-recurring and five full-time positions.

Item 10. To the Court System, for Court of the Judiciary staffing, the sum of \$205,000.

Item 11. To the Department of Finance and Administration, Criminal Justice Programs, the sum of \$1,050,000, including \$900,000 recurring and \$150,000 non-recurring for the sole purpose of making equal grants to the following police departments to establish, implement, and operate a statewide network of regional Internet Crimes Against Children (ICAC) task forces as follows: (a) Knoxville Police Department, \$350,000; (b) Memphis Police Department, \$350,000; and (c)

Metropolitan Nashville and Davidson County Police Department, \$350,000.

Each agency shall operate such ICAC task force in a manner consistent with established guidelines under federal ICAC task force criteria and guidelines from the United States Department of Justice, Office of Juvenile Justice and Delinquency Programs. Funds received pursuant to this item shall be used exclusively by the regional ICAC task forces to:

(1) Conduct law enforcement investigations into child pornography and online enticement of children;

(2) Recruit, train, coordinate and support a network of cooperating law enforcement agencies within their region, with an emphasis on assisting them with training, forensic computer analysis and ensuring established national protocols are followed; and

(3) Serve as a law enforcement liaison bringing together local, state, national, and international police agencies and prosecutors.

It is the intent of the General Assembly that the ICAC task force currently operated by the Knoxville Police Department be the coordinating agency for the statewide ICAC network and that such department annually report to the General Assembly as to the statewide networks activities.

Item 12. To the Department of Finance and Administration, Criminal Justice Programs, the sum of \$250,000 (non-recurring) for a grant to the Tennessee Association of Chiefs of Police for the Internet predators awareness campaign.

Item 13. To the Department of Finance and Administration, Criminal Justice Programs, the sum of \$500,000 (non-recurring) to complete the methamphetamine treatment pilot project in the Davidson County Drug Court.

Item 14. To the Department of Finance and Administration, the sum of \$200,000 and two full-time positions to establish a criminal justice coordinating council, an interagency and intergovernmental policy group, which will review, research, and analyze trends and best practices affecting the growth of Tennessee's adult felon population and propose strategies and policy to manage growth and distribution. It is the legislative intent that the council expire at June 30, 2010, unless otherwise provided at that time.

Item 15. To the Department of Correction, Tennessee Prison for Women, the sum of \$147,300 to continue one full-time position for the therapeutic community program upon the expiration of a federal grant.

This appropriation is subject to certification by the Commissioner of Finance and Administration that grant-funding of the position has expired.

Item 16. To the Department of Correction the sum of \$300,000 (non-recurring) for radio system repair at Northwest Correctional Complex.

Item 17. To the Department of Children's Services the sum of \$490,000 to fund 14 forensic investigators at child advocacy centers.

Item 18. To the Department of Commerce and Insurance, POST Commission, the sum of \$357,600 to maintain grants at the level specified in Section 7, Item 13.

SECTION 60. In addition to the appropriations in Section 1 of this act, except as otherwise provided herein, the following amounts are appropriated for implementation of legislation, subject to the specified bill becoming a law, and the Commissioner of Finance and Administration may allocate these appropriations to the appropriate organizational units and adjust federal and other departmental revenues and authorized positions accordingly.

Item 1. To the Military Department, \$123,800 for Senate Bill No. 2187/House Bill No. 2243, relative to extending military leave from 15 to 20 days.

Item 2. To the Department of Correction, Sentencing Act of 1985, \$2,200 for the incarceration cost of Senate Bill No. 2227/House Bill No. 2261, relative to prescription drug fraud.

Item 3. To the General Assembly, \$3,300 for Senate Bill No. 2194/House Bill No. 2251, relative to a juvenile records task force on submission of juvenile fingerprints and reporting of juvenile court dispositions.

Item 4. To the Department of Revenue, \$420,000, including \$220,000 recurring and \$200,000 non-recurring and three (3) full-time positions, for Senate Bill No. 2326/House Bill No. 2354, relative to tobacco taxes.

Item 5. To the Department of Revenue, \$390,000, including \$270,000 recurring and \$120,000 non-recurring and three (3) full-time positions, for Senate Bill No. 2223/House Bill No. 2281, relative to taxation.

Item 6. The provisions of this item shall take effect upon becoming a law, the public welfare requiring it. From the appropriations to the Law Enforcement Training Academy in Section 1, Title III-11, Item 8, and Section 4, Title III-11, Item 9, of this act and in Public Acts of 2006, Chapter 963, the sum of \$13,200 hereby is appropriated to implement Senate Bill No. 2261/House Bill No. 2309, relative to retirement and a supplemental bridge benefit for commissioned instructors at the academy;



provided that \$6,600 is for costs in the 2006-2007 fiscal year and \$6,600 is for 2007-2008 recurring costs.

Item 7. To the Department of Economic and Community Development, \$270,000 for Senate Bill No. 281/House Bill No. 267, relative to increasing grants to development districts.

Item 8. To the Department of Human Services, \$270,000 for Senate Bill No. 402/House Bill No. 95, relative to grants to human resource agencies (HRAs), increasing grants to \$120,000 each.

Item 9. To the Miscellaneous Appropriations, \$109,100 for Senate Bill No. 643/House Bill No. 808, relative to state employees working in a higher position classification for a limited time. There is further appropriated \$72,800 from dedicated funds and federal and other departmental revenue; and the Commissioner of Finance and Administration may allot dedicated and other revenues to the extent necessary.

Item 10. To the Miscellaneous Appropriations, \$40,000 for House Joint Resolution No. 155, relative to an African American sculpture in the State Capitol. This appropriation shall not revert to the general fund at any June 30, but shall be carried forward and reallocated until expended for the resolution's purpose.

Item 11. To the Department of Agriculture, \$15,000,000 for the purpose of increasing the Agricultural Enhancement Program appropriation to \$26,000,000, including \$21,000,000 apportioned to the Agricultural Enhancement Program by Senate Bill No. 2326/House Bill No. 2354, relative to tobacco taxation. The appropriation of \$15,000,000 in this item and \$6,000,000 in Section 1, Title III-3, Department of Agriculture, is subject to an apportionment being made to the Agricultural Enhancement Program in the amount of \$21,000,000 in the cited bill, if the bill becomes a law.

Item 12. Notwithstanding other provisions of this section, the appropriation to the Department of Health for tobacco-use prevention, in Section 1, Title III-16, Item 3.4, Communicable and Environmental Disease Prevention, is reduced by \$5,000,000, thereby reducing the improvement item for tobacco-use prevention to \$10,000,000, such appropriation from the general fund being subject to Senate Bill No. 2326/House Bill No. 2354 becoming a law.

Item 13. From the appropriation in Section 1, Title III-3, Item 8, Agricultural Resources Conservation Fund, the following amounts are earmarked for implementation of legislation, subject to the specified bill becoming a law:

(a) For Senate Bill No. 2165/House Bill No. 2228, a sum sufficient for administrative purposes, to provide technical

assistance to grant recipients, and as matching dollars to obtain additional funding.

(b) For Senate Bill No. 2166/House Bill No. 2229, the sum of \$85,500 through an existing grant made to each soil conservation board, to fund an increase in per diem from \$15 to \$30.

Item 14. (a) From the appropriations in Section 1 and 4 of this act, to the Department of Children's Services, the sum of \$54,400 (\$37,200 state appropriation and \$17,200 federal funds) is appropriated to implement Senate Bill No. 907/House Bill No. 374, relative to prohibition on hiring of child abusers by education agencies. The Commissioner of Finance and Administration is authorized to establish one full-time position in the Department of Children's Services.

(b) In addition to the appropriation of departmental revenues in Section 4 of this act there is appropriated from departmental revenue the following amounts to implement Senate Bill No. 907/House Bill No. 374, relative to enforcement of and mediation and training on federal Individuals with Disabilities Act (IDEA) and state special education law:

(1) To the Court System the sum of \$61,000 for mediator training on special education law;

(2) To the Secretary of State the sum of \$69,000 for administrative law due-process hearings, mediation, and training.

Item 15. From the appropriations to the Department of Safety in Section 1, Title III-20, there is appropriated a sum sufficient not to exceed \$100,000 to implement Public Acts of 2007, Chapter 165 (Senate Bill No. 1604/House Bill No. 491), relative to immigration law enforcement by and training of the Highway Patrol. The Commissioner of Finance and Administration is authorized to adjust federal revenue estimates accordingly.

Item 16. From the appropriations in this act to the Department of Agriculture and the Department of Transportation, there hereby is appropriated the following sums to implement Senate Bill No. 2150/House Bill No. 2216, relative to alternative fuels programs:

(a) To the Department of Transportation, \$75,000 from funds in the highway fund relative to authority to encourage political subdivisions and public colleges and universities to increase the number of fleet vehicles using alternative fuels. The department is authorized to establish one full-time position.

(b) To the Department of Agriculture a sum sufficient relative to alternative fuel research provisions of the bill. The department is authorized to establish one full-time position.

SECTION 61. In addition to the appropriations in Section 1 of this act, the following amounts hereby are appropriated, and the Commissioner of Finance and Administration may allocate them to the appropriate organizational units and adjust departmental revenue and authorized positions accordingly:

Item 1. To Cover Tennessee Health Care Programs, CoverKids, the sum of \$820,100 for dental and vision services, to begin approximately January 1, 2008. In addition to the appropriation of departmental revenues in Section 4, there also is appropriated the sum of \$2,460,400 from federal sources for this purpose.

Item 2. To Cover Tennessee Health Care Programs, CoverKids, a sum not to exceed \$1,000,000 from the CoverKids reserve carried forward at June 30, 2007, for the Meharry Medical College outreach program, in support of the CoverKids program.

Item 3. To the Miscellaneous appropriations the sum of \$2,200,000 (non-recurring) for a grant to the State Veterans Home Board for implementation of a corrective action plan. Provided further that the Commissioner of Finance and Administration is authorized to transfer to the appropriate organizational unit an amount of \$200,000 appropriated in Section 1, Title III-2, Item 6, Department of Veterans Affairs, such \$200,000 being an improvement in the 2007-2008 Budget Document for an independent review of state veterans homes.

Item 4. To the Department of Safety the sum of \$1,676,700, including \$1,575,300 recurring and \$101,400 non-recurring, to establish 40 full-time positions in the dispatch program.

Item 5. To the Department of Safety, the sum of \$1,281,000, including \$1,248,600 recurring and \$32,400 non-recurring, to establish 36 full-time positions in the drivers license examination program.

Item 6. To the Military Department, Tennessee Emergency Management Agency, the sum of \$316,200 for a 1:1 match to federal emergency planning funds.

Item 7. To the Department of Environment and Conservation, Conservation Compensation Fund, the sum of \$22,000 for in-lieu-of-tax payments to local governments. This appropriation is subject to an appropriation being made in this act for purchase of North Cumberland Plateau lands.

Item 8. To the Department of Environment and Conservation, Historical Commission, the sum of \$82,600 for rent.

Item 9. To the Department of Economic and Community Development, Film and Television Incentive Fund, the sum of \$10,000,000 (non-recurring).

Item 10. To the Department of Human Services, the sum of \$210,000 for the purpose of increasing recurring grants to 21 community action agencies to \$25,000 each, for the following organizations: Anderson County Community Action Commission; Blount County Community Action Agency; Bradley-Cleveland Community Services Agency; Chattanooga Human Services Department; Clarksville-Montgomery County Community Action Agency; Delta Human Resource Agency; Douglas Cherokee Economic Authority, Inc.; Highland Rim Economic Corporation; Knoxville-Knox County Community Action Committee; Metropolitan Action Commission; Mid-Cumberland Community Action Agency; Mid-East Community Action Agency; Mountain Valley Economic Opportunity Authority; East Tennessee Human Resource Agency; Northwest Tennessee Economic Development Council; Shelby County Community Services Agency; South Central Human Resource Agency; Southeast Tennessee Human Resource Agency; Southwest Human Resource Agency; Upper Cumberland Human Resource Agency; and Upper East Tennessee Human Development Agency.

Item 11. To the Secretary of State, Help America Vote Act, a sum not to exceed \$800,000 (non-recurring) for the purpose of providing an approximate 5 percent state match to federal funds for voting machine or system modifications or replacements necessary to comply with federal law on paper trail and related matters. Such federal funds as may be available for this purpose hereby are appropriated. The appropriation of state funds in this item is subject to certification by the Secretary of State that the federal funds are available and subject to approval of the Commissioner of Finance and Administration, notwithstanding other provisions of this act.

Item 12. To the Department of Tourist Development the sum of \$60,000 and one full-time position for Civil War sesquicentennial coordination.

Item 13. To the Miscellaneous Appropriations the sum of \$250,000 (non-recurring) for the Telling Tennessee Stories audio history project.

Item 14. To the Miscellaneous Appropriations the sum of \$300,000 (non-recurring) for a grant to the Green McAdoo Cultural Organization for operating costs of the Green McAdoo Cultural Center in the City of Clinton.

Item 15. To the Department of Human Services the sum of \$1,000,000 (non-recurring) for distribution to the five food banks across the state for the purpose of purchasing, handling, and transporting food and replacing equipment, for hunger relief. The grant shall be made to

Second Harvest Food Bank of Middle Tennessee, which shall distribute the funds to the five food banks on the basis of an accepted formula using population and poverty population. The formula for distribution by Second Harvest is subject to advance approval of the Commissioner of Human Services, before making this direct appropriation grant. The five food banks to receive funds on this basis are: Second Harvest Food Bank of East Tennessee in Knoxville, Second Harvest Food Bank of Northeast Tennessee in Gray, Chattanooga Area Food Bank, Memphis Food Bank, and Second Harvest Food Bank of Middle Tennessee in Nashville.

Item 16. To the Tennessee Housing Development Agency the sum of \$2,650,000 (non-recurring) for the housing fund for very-low-income, elderly, and special-needs housing assistance.

Item 17. To the Department of Health, Health-Care Safety Net program, the sum of \$6,000,000 (non-recurring) for grants to community and faith-based clinics.

Item 18. To the Department of Health, Health-Care Safety Net program, the sum of \$3,000,000 (non-recurring) for grants to federally qualified health centers (FQHCs) totaling \$7,600,000 (\$4,600,000 recurring base and \$3,000,000 non-recurring).

Item 19. To the Department of Health, the sum of \$1,000,000 for the breast and cervical cancer screening program, and seven full-time positions are authorized.

Item 20. To the Department of Health, the sum of \$175,000 (non-recurring) for a grant to Meharry Medical College Center for Women's Health Resources for a digital mammography database.

Item 21. To the Department of Economic and Community Development, the sum of \$25,000 (non-recurring) for the state to be represented in its official capacity as host of a national meeting.

Item 22. To the Department of Correction, the sum of \$10,000 for a grant to the American Lung Association for the Freedom from Smoking program at state prisons.

Item 23. To the Miscellaneous Appropriations, the sum of \$400,000 for performance-based budgeting, including restoration of seven authorized positions.

Item 24. To the Miscellaneous Appropriations, the sum of \$155,800 for administrative law hearings rate increase.

Item 25. To the Miscellaneous Appropriations the sum of \$602,800 for a Cook-Chill program rate increase of approximately 1.4 percent, reflecting equipment replacement. This appropriation is subject to approval of the Commissioner of Finance and Administration.

Item 26. To the Miscellaneous Appropriations the sum of \$141,300 for a General Services Print Shop rate increase of approximately 4.2 percent, reflecting equipment replacement. This appropriation is subject to approval of the Commissioner of Finance and Administration.

Item 27. To the Department of Economic and Community Development the sum of \$4,175,000 (non-recurring) for a grant to Connected Nation for broadband access in Tennessee.

Item 28. To the Department of Economic and Community Development the sum of \$250,000 (non-recurring) for a planning grant to Mississippi River Natural and Recreational Corridor for an economic development tourism initiative.

Item 29. To the TennCare Program from the TennCare reserve the sum of \$30,000,000 (non-recurring) for the sole purpose of making payments to Tennessee hospitals. It is the legislative intent that these funds be used to:

(1) Address the needs of hospitals that experience high charity care expenses for services provided in their communities;

(2) Guarantee reimbursement to the state's critical access hospitals, as designated by the United States Department of Health and Human Services, of an amount equal to the actual costs experienced by such hospitals in treating the TennCare population; and

(3) Address un-reimbursed cost of services provided by critical access hospitals.

Expenditures for the purpose of effecting sub-item 1 above shall only be made to hospitals participating in the TennCare and CoverTN programs; provided, however, that this limitation does not apply to critical access hospitals. Expenditures for the purposes of effecting sub-items 2 and 3 above shall not exceed \$5,000,000. It is the legislative intent that the Commissioner of Finance and Administration utilize the TennCare reserve and any federal funding which may be available to make these payments.

SECTION 62. It hereby is acknowledged that Office for Information Resources rates will be adjusted, for a net general fund appropriation reduction of \$530,000 in the various state agencies. The Commissioner of Finance and Administration is authorized to adjust and reallocate general fund appropriations, dedicated appropriations, and federal and other departmental revenues accordingly.

SECTION 63. The appropriations in Section 1 of this act, except as otherwise provided herein, hereby are reduced in the following amounts:

Item 1. In Section 1, Title III-1, Item 3.9, Ethics Commission, reduced by \$175,000 for the purpose of deleting three (3) improvement positions that had been recommended in the 2007-2008 Budget Document.

Item 2. In Section 1, Title III-7, Item 19, Sentencing Act of 1985, reduced by \$613,100 for the purpose of deleting improvements in the 2007-2008 Budget Document of \$573,500 and \$39,600, for which no legislation was introduced.

SECTION 64. In addition to the appropriations in Section 1, Title III-5, Item 31, Tennessee Heritage Conservation Trust Fund, there hereby is appropriated the sum of \$82,000,000 for land and related acquisitions in the North Cumberland Plateau land acquisition project. These funds shall be expended in accordance with the Tennessee Heritage Conservation Trust Fund Law.

#### SECTION 65. Capital Outlay.

Item 1. In addition to the appropriations in Section 1, Title III-32 for capital outlay, there hereby is appropriated the following sums:

(1)	Education – School for the Blind – Campus Repairs and Improvements .....	\$ 2,250,000
	Higher Education:	
(2)	UT Knoxville Music Center .....	\$ 30,000,000
(3)	Pellissippi State CC, Blount County Center .....	17,200,000
(4)	UT Chattanooga New Library .....	<u>48,000,000</u>
	Sub-Total Higher Education .....	<u>\$ 95,200,000</u>
(5)	F&A – Zoo and Aquarium Grants	
	(a) Memphis Zoo .....	\$ 750,000
	(b) Nashville Zoo .....	750,000
	(c) Knoxville Zoo .....	750,000
	(d) Chattanooga Zoo .....	525,000
	(e) Tennessee Aquarium at Chattanooga .....	<u>225,000</u>
	Sub-Total F&A – Zoo and Aquarium Grants .....	<u>\$ 3,000,000</u>
(6)	F&A – Other Grants:	
	(a) Town of Erwin – Assisted Living Facility .....	\$ 3,000,000
	(b) Ladies' Hermitage Association –	

Hermitage restoration .....	1,000,000
(c) African American History Foundation of Nashville, Inc. – Museum of African American Music Art and Culture .....	500,000
(d) City of Lake City – Coal Miners Museum .....	100,000
(e) East Tennessee Veterans Memorial Association – East Tennessee Veterans Memorial.....	500,000
(f) Carroll County Watershed Authority – Carroll County Lake Project .....	500,000
(g) Fort Campbell Historical Association – Wings of Liberty Museum .....	<u>500,000</u>
Sub-Total F&A – Other Grants .....	<u>\$ 6,100,000</u>
(7) Agriculture – Existing Agriculture Arenas:	
(a) Tennessee Technological University.....	\$ 150,000
(b) Middle Tennessee State University.....	150,000
(c) Roane State Community College .....	150,000
(d) Walters State Community College .....	150,000
(e) University of Tennessee Knoxville .....	150,000
(f) University of Tennessee Martin.....	<u>150,000</u>
Sub-Total Agriculture - Existing Agricultural Arenas ....	<u>\$ 900,000</u>
Other Projects:	
(8) F&A – Legislative Plaza ADA-Compliant bathroom .....	\$ 1,700,000
(9) F&A – Bicentennial Mall land acquisition .....	1,200,000
(10) F&A – Crafts Center in East Tennessee (market for artisans) – Planning .....	500,000
(11) F&A – Civil War Boat in the Tennessee River at Johnsonville – Planning .....	<u>200,000</u>
Sub-Total Other Projects .....	<u>\$ 3,600,000</u>
Total Capital Outlay Appropriation.....	<u>\$ 111,050,000</u>

Provided further that, from the June 30, 2007, reversion or unexpended balance carried forward of the Department of Education,



there is appropriated the sum of \$274,200 for the School for the Blind campus repairs and improvements project.

Item 2. It is hereby acknowledged that the UT Knoxville Music Center listed in item 1 is a \$40,000,000 project, including \$10,000,000 from gifts.

Item 3. From the proceeds of the bonds issued under the authority of Senate Bill No. 2329/House Bill No. 2355 for the Department of Finance and Administration, there is allocated the sum of \$3,700,000 for the purpose of funding a farm project for Middle Tennessee State University. Said project is in addition to those projects listed on page A-106 in the 2007-2008 Budget Document for the Tennessee Board of Regents.

The State Funding Board shall enter into an agreement with the Tennessee Board of Regents and the Middle Tennessee State University requiring such terms and conditions regarding the contribution toward debt service as the State Funding Board determines to be appropriate.

This allocation is subject to Senate Bill No. 2329/House Bill No. 2355 becoming law.

Item 4. From the appropriation in Item 1 (11) of this section, subject to approval of the Commissioner of Finance and Administration and the State Building Commission, a grant may be made to Raise the Gun Boats, a not-for-profit organization located in Camden, for project planning.

Item 5. Funds appropriated in this section shall be used solely for improvements, betterments, and additions to state structures and for the acquisition of additional land and space, including the purchase of existing structures and grants, as described or referred to above and as approved by the State Building Commission; provided, further, that all funds appropriated in this act or other general acts of this session for capital outlay shall be subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 15, Part 1, and further expressly providing for the making of grants to governmental entities and/or to Memphis Zoo, Inc., a not-for-profit organization located in Memphis; Nashville Zoo, Inc., a not-for-profit organization located in Nashville; Knoxville Zoological Gardens, Inc., a not-for-profit organization located in Knoxville; Tennessee Aquarium, a not-for-profit organization located in Chattanooga; Ladies' Hermitage Association, a not-for-profit organization located in Hermitage; African American History Foundation of Nashville, Inc., a not-for-profit organization located in Nashville; East Tennessee Veterans Memorial Association, a not-for-profit organization located in Knoxville; Fort Campbell Historical Association, Inc., a not-for-profit organization located in Clarksville; and Raise the Gun Boats, a not-for-profit organization located in Camden. Such grants so identified and approved are determined to be for a public purpose.

SECTION 66. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. There hereby is appropriated the following amounts in the fiscal year ending June 30, 2007, which shall be in addition to the appropriations made in Public Acts of 2006, Chapter 963; and the Commissioner of Finance and Administration is authorized to allot and transfer these appropriations to the appropriate expenditure account within each department, agency, or branch of government and to adjust authorized positions and federal aid and other departmental revenues accordingly:

Item 1. To Higher Education for professional privilege tax payment, the sum of \$74,400, to be expended in accordance with the provisions of Public Acts of 2006, Section 29, Item 20.

Item 2. To the Department of General Services, Printing program, the sum of \$64,000.

Item 3. To the Department of Environment and Conservation, State Parks, the sum of \$1,100,000.

Item 4. To the Department of Mental Health and Developmental Disabilities, the sum of \$3,000,000.

Item 5. To the Department of Health, Alcohol and Drug Abuse Prevention, the sum of \$6,100,000.

Item 6. To the Military Department, Tennessee Emergency Management Agency, the sum of \$316,200 to provide a 1:1 match to federal emergency planning funds. The Commissioner of Finance and Administration is authorized to carry forward the unexpended balance of this appropriation at June 30, 2007, if federal funds are carried over.

Item 7. To the Miscellaneous Appropriations, Special Elections, the sum of \$200,000.

Item 8. To the Miscellaneous Appropriations the sum of \$1,000,000 for a grant to the State Veterans Home Board for replacing, purchasing, and upgrading equipment, furniture, and operating supplies at the state veterans homes.

#### SECTION 67.

Item 1. From the appropriation to the Department of Finance and Administration in Section 1, Title III-2, Item 3.6, Real Property Administration, an amount not to exceed \$45,500 and one position are transferred to the Department of Environment and Conservation, Historical Commission, for the purpose of managing the state's historical sites. This item is subject to approval of the Commissioner of Finance and Administration.

Item 2. From the appropriations to the Department of Agriculture in Section 1, Title III-3, Item 2, Regulatory Services, and Item 3, Market

Development, for the farm program, a sum sufficient is allocated to establish up to 8 positions. This item is subject to approval of the Commissioner of Finance and Administration.

Item 3. From the appropriations in Section 1, Title III-8, of this act to the Department of Economic and Community Development, FastTrack Infrastructure Development Program, the Commissioner of Finance and Administration is authorized to transfer sums sufficient to Community Development and Business Development for economic development projects.

Item 4. From the appropriations to the Commission on Aging and Disability in Section 1, Title III-2, Item 2.2, and to the TennCare Program in Section 1, Title III-26, for the statewide waiver on aging and disability and the state Options program, the Commissioner of Finance and Administration is authorized to reallocate appropriations between the programs in order to equalize rates and maximize federal revenue. It is the legislative intent that aggregate enrollment in the programs is increased due to any reallocation of funds.

Item 5. With regard to the funds appropriated by T.C.A., Section 36-6-413, the agencies identified in T.C.A., Section 36-6-413(b)(2)(A) – (G) shall provide to the Comptroller of the Treasury an accounting of the funds received since the inception of this act and the manner in which the funds have been spent each year since the implementation of Public Chapter 854 of the Public Acts of 2002.

Further, the Comptroller of the Treasury is authorized to request from each agency identified in T.C.A., Section 36-6-413(b)(2)(A) – (G) an accounting of how the funds for the 2007-2008 fiscal year are to be spent; and the Comptroller of the Treasury is authorized and requested to review those expenditures and report the results of such audits to the Commissioner of Finance and Administration.

Item 6. From the appropriation in Section 1, Title III-10, Item 3.1e, to the University of Tennessee for the access and diversity initiative, sums sufficient in the following approximate amounts are appropriated for the purposes stated herein: existing scholarship continuation (\$710,600), other student scholarships and fellowships (\$1,960,000), student recruitment and retention (\$340,000), and faculty and staff opportunity hires (\$399,400). Such expenditures shall be in furtherance of the access and diversity initiative.

Item 7. From the appropriation in Section 1, Title III-16, Item 1.1, to the Department of Health for HIV/AIDS programs, the Commissioner of Finance and Administration is authorized to transfer the sum of \$432,700 and four (4) full-time positions to Communicable and Environmental Disease Services to support the Ryan White HIV/AIDS program.

Item 8. From the proceeds of bonds issued under the authority of Chapter 962, Public Acts of 2006, the sum of \$41,000,000 was allocated

pursuant to Section 67 in Chapter 963, Public Acts of 2006, for the purpose of addressing the impact of escalating construction costs arising from various factors, including the effects of Hurricanes Katrina and Rita. It is the legislative intent to recognize that these escalating construction costs have been addressed. The remaining balance of the \$41,000,000 allocation is hereby reappropriated to a capital account to be administered by the Department of Finance and Administration. Expenditure of these funds is subject to approval by the State Building Commission upon recommendation by the Commissioner of Finance and Administration of each project to be provided for from said funds.

Item 9. From the appropriations in Sections 1 and 4 of this act for benefit of Arlington Developmental Center, the Commissioner of Finance and Administration is authorized to transfer funds and establish positions for two new programs, West Tennessee Community Homes and West Tennessee Resource Center. The programs and positions are required to implement the Arlington settlement agreement and anticipated approval of the Arlington closure plan.

Item 10. In addition to appropriations in Section 1, Title III-20 for the Department of Safety, there hereby is appropriated a sum sufficient from the Information Systems Development Fund and the Information Systems Development Projects reserve to provide non-recurring funds for the planning and preparation of the implementation of the federal REAL ID Act, enacted in May 2005 and which requires new standards and procedures for state driver licenses and identification cards. This appropriation is subject to approval of the Commissioner of Finance and Administration.

Item 11. As provided in Executive Order No. 44, dated February 23, 2007, the appropriations to the Department of Health for Alcohol and Drug Abuse Services in Section 1, Title III-16 and in Section 4, Title III-16 shall be transferred to the Department of Mental Health and Developmental Disabilities. The Commissioner of Finance and Administration is authorized to adjust such sums as authorized by the executive order and this act for functions related to alcohol and drug abuse services and for positions assigned primarily to provide support services for alcohol and drug abuse functions and to transfer authorized positions accordingly.

Item 12. The Commissioner of Finance and Administration is authorized to transfer the appropriations for the Diabetes Prevention and Health Improvement program and for the Office of Homeland Security in Sections 1 and 4 of this act to the appropriate organizational units pursuant to law and to transfer authorized positions accordingly.

## SECTION 68.

(a) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty million dollars (\$20,000,000) to the Secretary of State for the sole purpose of

implementing the community enhancement grant program in accordance with the provisions of this section.

(b) Community enhancement grants shall only be available to support:

(1) Public safety activities, including, but not limited to, those related to local law enforcement, fire and life safety, programs designed to address local drug programs, advocacy for children and other vulnerable populations, and other criminal justice programs;

(2) Educational initiatives, including, but not limited to, those related to local schools and school support organizations, efforts to address significant local education issues such as summer reading programs, and other initiatives that address educational needs;

(3) Cultural activities, including, but not limited to, those related to enhancing opportunities provided by museums, libraries, and historic sites, and activities supporting other local cultural endeavors; or

(4) Community development activities, including, but not limited to, those related to serving the unique needs of various segments of the population, such as the elderly and youth, through supporting program offerings provided through local recreational and community facilities, senior citizens centers, boys and girls clubs, and the like as well as county and municipal infrastructure improvements such as road and bridge planning, construction and maintenance.

(c) Grant proceeds must be used for one (1) or more of the following purposes: programs, services, operating costs, equipment, construction, renovation and maintenance.

(d) Notwithstanding any provision of this act to the contrary, a community enhancement grant to a governmental or non-governmental agency or entity shall not be disbursed until the recipient has filed with the Secretary of State a plan specifying the proposed use of such funds in accordance with the purposes enumerated in subsection (c) of this section and the benefits anticipated to be derived therefrom. As a prerequisite to the receipt of such grant, the recipient shall agree to provide to the Secretary of State, within ninety (90) days of the close of the fiscal year within which such grant was received, an accounting of the actual expenditure of such funds, including a notarized statement that the report is true and correct in all material respects; provided, however, that the secretary may require, in lieu of the accounting as provided above, an audited financial statement of the governmental or non-governmental agency or entity. A copy of such accounting or audit, as the case may be, shall be filed with the Office of the Comptroller of the Treasury.

(e) No community enhancement grant shall be disbursed to a non-governmental agency or entity until the recipient of such grant has presented evidence to the secretary that such recipient is a not-for-profit corporation, nonprofit association, or similar nonprofit organization. For purposes of this subsection (e), any one (1) of the following shall constitute evidence that a recipient is a not-for-profit corporation, nonprofit association, or similar non-profit organization:

(1) Documentation from the Internal Revenue Service recognizing the grant recipient as holding a determination of exemption as a 501(c) organization; such documentation shall be supported by an affidavit from the 501(c) organization's chair, president or chief administrative officer affirming that the organization's 501(c) status has not been revoked;

(2) A copy of the charter of a not-for-profit corporation;

(3) Documentation that a grant recipient holds property tax exempt status;

(4) A copy of organizational documents and any other documents that prove to the satisfaction of the secretary that a grant recipient has been in continuous and active existence as a nonprofit organization located in Tennessee for at least two (2) calendar years immediately preceding the fiscal year in which such grant shall be made; such documentation shall be supported by an affidavit signed by the organization's chair, president or chief administrative officer affirming that the organization has been in continuous and active existence in Tennessee for at least two (2) calendar years immediately preceding the fiscal year in which such grant shall be made; or

(5) An affidavit signed by the county mayor, or county executive, from the county where the grant recipient is located affirming that the grant recipient is a not-for-profit corporation, nonprofit association, or similar nonprofit organization.

(f) Notwithstanding any provision of this act to the contrary, if multiple grants are allocated to the same recipient, then such recipient shall be awarded the sum total of such multiple grants.

(g) Grants shall be awarded in accordance with the following procedure:

(1) Organizations shall apply for grants to the Secretary of State no later than August 15, 2007, and shall include such information as the Secretary of State deems appropriate.

(2) The Secretary of State shall make grants to applicants as the secretary deems appropriate and in such amounts as the secretary determines appropriate. In making determinations

relative to grant awards, the Secretary of State is authorized to take into account factors the secretary deems relevant, including the benefits of making the grant.

SECTION 69. From funds appropriated to higher education within this act, it is acknowledged that the sum of \$70,000,000 represents improvement funding. Notwithstanding the distribution of these funds to formula units in Section 1 or any provision of this act to the contrary, it is the legislative intent that all higher education employees receive a three percent (3%) cost of living adjustment and that improvement funds allocated to formula institutions be distributed to such institutions in a manner to fully fund the three percent (3%) salary policy for state appropriations. Further, it is the intent that state improvement funds allocated to formula units remaining after funding the salary policy shall be distributed utilizing the Tennessee Higher Education Commission's "gap" methodology. The Tennessee Higher Education Commission is directed to recommend to the Commissioner of Finance and Administration a distribution plan for such funds to achieve this intent. The commissioner is authorized to revise the distribution of improvement funds appropriated to higher education in this act to implement such distribution plan.

SECTION 70. Notwithstanding any other provision of this act to the contrary, the allocation to reserve made for the federal REAL ID Act is reduced by \$25,500,000.

SECTION 71. Notwithstanding any other provision of this act to the contrary, the \$10,000,000 appropriation made to the Department of Health for tobacco-use prevention is non-recurring.

SECTION 72. Notwithstanding any other provision of this act to the contrary, \$12,000,000 of the sum appropriated by this act to land acquisition funds is non-recurring.

SECTION 73. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$6,984,400 to the Department of Finance and Administration for the purpose of restoring the proposed reduction for higher education insurance rate adjustments.

SECTION 74.

(a) The Department of Human Services is directed to review and analyze the current rate system for compensating child care providers who provide child care services on a subsidized basis for TANF beneficiaries. Such study shall examine market rates, provider costs, availability of services, demand for services, as well as the direct and indirect impacts of the current rate system on the success and/or failure of TANF policies and objectives. The department shall also examine the feasibility, cost, benefits and other related matters relative to revising the current rate structure upward to provide reimbursement at the 45th percentile of current market rates. Not later than November 1, 2007, the department shall publish a written report of its findings and recommendations and shall deliver copies of such report to the Governor, the Speaker of the Senate, the Speaker of the House of Representatives,

the Chairs of the Finance, Ways and Means Committees of the Senate and House of Representatives, the Chair of the General Welfare, Health and Human Resources Committee of the Senate, the Chair of the Children and Family Affairs Committee of the House of Representatives and the Office of Legislative Budget Analysis.

(b) The Department of Finance and Administration shall perform a review of rates provided to contractors performing services substantially similar to direct care staff at development centers. The department shall report findings and recommendations for rate adjustments to the Governor, the Chairs of the Senate and House Finance, Ways and Means Committees and the Office of Legislative Budget Analysis by November 1, 2007. If the department determines that no rate adjustments are warranted, then the department shall include in its report the specific reasons and documented evidence supporting such a determination.

(c) The Department of Education shall examine current available funding, allocation of available funding and the availability of new funding sources for adult education programs. The Department of Education shall further analyze the adult education system to determine if appropriate resources are being provided to enable the adult education system to function in an appropriate programmatic and cost effective manner. The department shall report its findings and recommendations concerning the adult education system to the Governor, the Chairs of the Senate and House Finance, Ways and Means Committees and the Office of Legislative Budget Analysis by November 1, 2007.

(d) The Department of Education shall also examine current available funding, allocation of available funding and the availability of new funding sources, for career and technical education equipment in high schools. The Department of Education shall further analyze career and technical education equipment in high schools to determine if appropriate resources are being provided to enable adequate equipment in high schools for career and technical education to function in an appropriate programmatic and cost effective manner. The department shall report its findings and recommendations concerning the adult education system to the Governor, the Chairs of the Senate and House Finance, Ways and Means Committees and the Office of Legislative Budget Analysis by November 1, 2007.

(e) It is the legislative intent to examine the advisability of providing recurring funding to the Department of Health to provide smoking cessation programs on a continuing basis.

SECTION 75. It is hereby declared to be the legislative intent that the Tennessee Higher Education Commission shall, as part of the budget recommendation to the Governor each year, provide estimates of likely increases in student fees at various levels of state appropriations varying from zero increase in state appropriations to full funding of the Commission's recommendations. It is further the intent of the General Assembly that the Commission include within its recommendations the total revenues expected to



be available to each higher education institution for educational and general purposes (including state appropriations, student fees and any other available funds), compared to total educational and general revenues recommended for each institution under the Commission's formula at full funding.

SECTION 76. The Tennessee Code Commission is requested to place an appropriate, permanent note following the codification of any public act which is codified and which has not received constitutionally required first year's funding through the provisions of this act.

SECTION 77. If any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 78. No expenditure of public funds pursuant to this act shall be made in violation of the provisions of Title VI of the Civil Rights Act of 1964, as codified in 42 United States Code 2000(d).

SECTION 79. This act shall take effect July 1, 2007, the public welfare requiring it; provided, however, that any provision of this act which authorizes prior or immediate expenditures and any section or item which specifies an immediate effective date shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: June 11, 2007**

  
 RON RAMSEY  
 SPEAKER OF THE SENATE

  
 JIMMY NAIFEH, SPEAKER  
 HOUSE OF REPRESENTATIVES

**APPROVED this 28<sup>th</sup> day of June 2007**

  
 PHIL BREDESEN, GOVERNOR

